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STUDIES IN THE CRIMINALISATION OF POVERTY:

PAUPERISM, PATHOLOGY AND POLICING.

VOLUME ONE

PETER SQUIRES

DEPARTMENT OF SOCIAL ADMINISTRATION

UNIVERSITY OF BRISTOL

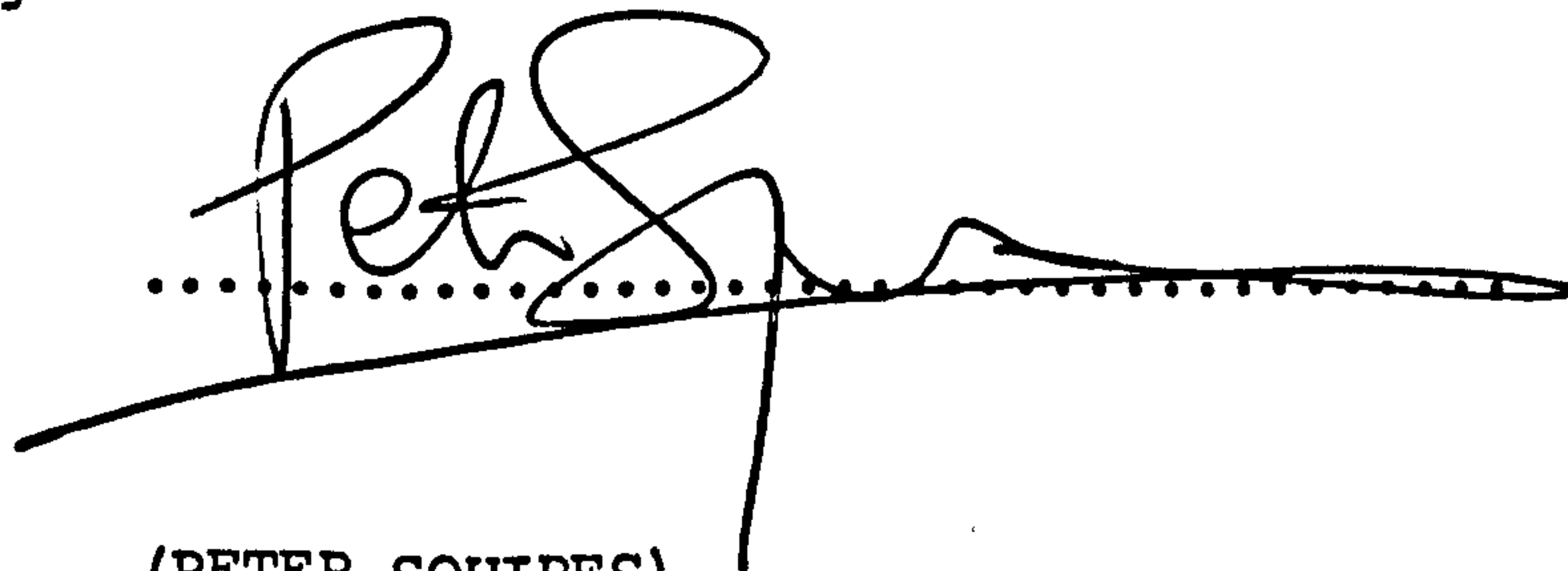
DECEMBER 1984

DECLARATION

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THE THESIS IS THE RESULT OF MY INDEPENDENT
INVESTIGATIONS.

Signed



A handwritten signature in black ink, appearing to read 'Peter Squires', is written over a horizontal dotted line. A solid horizontal line is drawn below the dotted line, and the signature extends below this line as well.

(PETER SQUIRES)

THESIS SUMMARY:

STUDIES IN THE CRIMINALISATION OF POVERTY

The study of social policy, or social administration, is usually associated with the study of statutory, welfare-oriented, distributive mechanisms. Indeed, it is precisely these distributive and welfare-related characteristics that qualifies certain kinds of policy as 'social'. Yet, there is no real justification, save historical accident and tradition, for continuing to accept this particular conception of social policy. A different kind of examination of the historical record - such as the analyses contained within this thesis - reveals a quite different legacy to the British social policy tradition.

Thus, the work contained within this thesis consists of an attempt to take another look at the historical development and modern evolution of state social policy. The effort is made to show that there is an older and more entrenched social policy tradition in Britain; one as much concerned with discipline as with welfare, more to do with division than with integration and more repressive than liberating.

It is important to acknowledge that the penal code is as old as the Poor Laws, that the mercantilist science of police preceded the science of political economy and, later in the age of capitalism and industrialisation, the Metropolitan Police Act predated the extension of the franchise and the reform of the Poor Laws. In short, a central preoccupation of the thesis is the attempt to elaborate Gareth Stedman-Jones' remark that, in the history of social administration, welfare and discipline, or care and control, were but two sides of the same coin.

In order to develop this argument, theoretical perspectives deriving from the work of Marx and Foucault have been employed. The works of Marx have been used to help in the analysis of the state, class struggle and the changing modes of political domination, whilst Foucault's work - especially his emphasis upon the analysis of discipline - has been employed to help elaborate the ways in which objectives, techniques and practices are brought together in forms of socio-political 'intervention' - political strategies or social policies. Furthermore Foucault's work in the analysis of socio-political discourse was of major importance insofar as it offered a technique for isolating and examining the formation of knowledges, practices and policies in social interventions. Thus, in different periods, differing

discourses on pauperism, poor-relief, charity, social pathology, need and poverty, can be identified. These discourses are the preserve of the state, of philanthropists, of 'experts' and of the mass media. Equally, they all have a certain popular currency. Within a particular discourse are concealed differing political strategies and targets of intervention, forms of knowledge and relations between objectives and practices. To examine social policy-in every respect a rich field of enquiry - as a series of changing, competing and interconnecting discourses is to bring another dimension to its analysis.

On the basis of such theoretical foundations the thesis examines the penalties, sanctions and disciplinary components - what Marx called 'the severities' - of the policies designed to cope with the problems of pauperism and poverty. Different chapters deal with different historical aspects of the organisation of the Poor Law and Social Security, in particular:

- the relationships of philanthropy and the investigation of the poor,
- the strategies of control embodied within poor relief and the development of insurantal techniques around the end of the 19th century and the beginning of the 20th century,
- the tests and regulations determining entitlement to relief,
- the strategy of social security after the Beveridge Report and the Second World War,
- the administrative discourse of the National Assistance Board and the preoccupation with social pathology and 'voluntary-unemployment',
- the emergence of a concern about fraud and abuse in social security and, finally,
- an analysis of the Fisher Report in 1973 and the subsequent intensification of claims-control techniques throughout the social security system.

By taking this 'alternative' look at what we might reasonably call the 'dark side' of social policy, from the early years of the 19th century to the present day in respect of the Poor Law and Social Security systems, a range of more fundamental questions are raised. These larger questions have to do with the disciplinary and regulatory nature of social policy itself. Such questions accept that all social policy is entirely concerned with the shaping and structuring of human social relations, they leave us less inclined to take the intentions of social policy-makers at their word and more interested in the effects and consequences of social policy.

With our grasp of these wider questions we can see how the more specific focus on the Criminalisation of Poverty becomes just one part of a much more general project of research

about the disciplinary character of social policy itself and the ramification of power relations through social policy, social legislation and governmental 'intervention'.

The present thesis is informed by insights from this broader general thesis about the nature of social policy at the same time as it is intended to contribute to that more radical and challenging thesis itself.

From the early 19th century a vast labour of statutory and political-economic intervention in the population expanded under the sign of 'the social'. 'Socialisation' and integration came to spell progress for almost 150 years but then a strange shift began to take place.

Nowadays, the social and the anti-social sit curiously together in a range of statutory, public and private initiatives. It is less the case that a struggle over meanings is taking place, rather, an attempt is being made to economise the social - to attach it more firmly to economic indicators. As the final sections of the thesis hopefully make clear privatisation and a new politics of disempowerment are indicative of the new relations being struck between the social and the economic.

PETER SQUIRES

December 1984

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PREFACE AND ACKNOWLEDGEMENTS

In 1979, it seemed an appropriate time to begin research on the disciplinary aspects of social policy. In many ways, the initial stages of research were heavily influenced by Michel Foucault's analyses of the disciplinary social relations of imprisonment. Foucault's work seemed to offer the opportunity to take a different kind of look at the 'Welfare State'. Indeed, in the light of the new Conservative Government's manifesto commitments to combat 'fraud and abuse', the sanctions in social policy - rather than social policy's more welfare-related and distributional aspects - cried out for some serious attention. However, the project's explicit focus upon social security policy tended to prompt the assumption that I was researching the history of Social Administration's own favourite 'folk devil' the Scrounger. This was not so.

Unfortunately, in 1979, my explanation that the project was an attempt to explore the possible contribution of Michel Foucault's work to a critical analysis of social policy and administration and that the thesis was primarily theoretical in its orientation, did not always lead to the understanding hoped for. At the time, therefore, in a number of respects, it seemed as if I was working against the grain of most conventional approaches to social policy and administration, whether they be termed 'critical' or otherwise, and also against a trend of empirical research which had become indelibly stamped upon the discipline of social administration. However, as the project unfolded and as the theoretical approaches came into clearer perspective, it became apparent that this was precisely what was entailed. First and foremost my thanks must go to Paddy Hillyard, my supervisor, for giving me the opportunity to undertake the research,

for his constant encouragement and support in an endeavour which was a little way off Social Administration's well-beaten path. During the research for, and the writing of, this thesis he helped me develop the ideas upon which I was working and towards the end of the research his comments and criticisms proved invaluable.

In other respects, I was quite conscious of deliberately trying to do something a little different, to ask questions which had everything to do with Social Administration, policy and strategy, technique and social intervention, if, at times, less to do with actual social policies. As the research advanced, it became clear that the thesis was part of a project which posed a major challenge to conventional ways of viewing social policy - a project that could not be encompassed in a single study but which had many levels and many dimensions. For these reasons I decided to give the thesis its present form, to present it as a series of Studies in the Criminalisation of Poverty in order that the specific dimensions and historical variations within 'social security' strategy could be made to appear more clearly. The separate chapters, therefore, might (almost) stand alone but, taken together, they constitute a series of approaches to the analysis of the criminalisation of poverty, a series of attempts to answer the question spelled out in the introduction, namely: why is social policy so inherently disciplinary? How is it disciplinary? Why do the forms of discipline change? What does this tell us about social administration both in general and in specific cases?

The separate studies leave open the possibility that there may be other explanations and other dimensions of significance for the discipline of social policy. They have not closed off other answers to the questions

identified. My special thanks therefore go to Professor Roy Parker for his encouragement and reassuring advice that a thesis can quite legitimately be left 'unfinished' in this way - after all, this is to do no more than make explicit what is often implicit in other studies. Furthermore, during the first years of research I was fortunate to read other theses which adopted this 'studies of' approach. Convinced that such an approach would provide an appropriate means of arranging my material and that it would be consistent with research deriving from the work of Foucault, I set out the plan for the organisation of the present work. Each of the chapters pursues the central themes of discipline and social policy but each has its own specific historical and substantive focus. In all, the present thesis contains 9 chapters, although 12 were originally planned and 11 actually written. The sections omitted from the final version of the thesis comprised: an attempt to elaborate Michel Foucault's approach to 'History', an examination of 'voluntary unemployment' and 'social pathology' in the Beveridge Report and social security policy and administration between 1948 and 1968 and an attempt to examine the disciplinary elements of social policy in Sweden, perhaps the most 'advanced' Welfare State. The first section was omitted because it raised far more questions than could be answered within the confines of a single thesis, the second section was omitted because it overlapped with an existing chapter (chapter 6) and the section on Sweden was omitted because it pursued questions that were too tangential to the main thesis. In any event the thesis was long enough already.

Thanks are, of course, due to the SSRC for its generous support for the first three years of the research in the form of a quota award (award number: S79/20988). Not only did this grant enable the research to take

place in the way it did, but it also afforded me the opportunity to travel to conferences and undertake fieldwork which, without financial assistance, would have been quite impossible. Thanks should also be recorded to the University of Bristol Library, especially for their kind provision of a study-room which proved invaluable during the early years of the research and for the prompt and helpful service of the Inter-Library Loans Department who provided me with many, often distant and obscure, books and periodicals.

Being in the Department of Social Administration at Bristol provided an important stimulus to innovative work - the staff were invariably interested and encouraging. Aside from Paddy Hillyard and Roy Parker, special thanks are also due to Noelle Whiteside who helped supervise my initial attempts to work out a new kind of approach to the history of social policy. Noelle helped to restrain some of my more over-optimistic pretensions to historical research and commented helpfully upon a number of earlier working drafts - although I never did spend much time in the Public Records Office!

David Bull and David Watson made a number of helpful comments on earlier drafts, helping me to tidy-up both the arguments and the approach and when, on one occasion, a High Court Judge became a little suspicious, David Bull moved swiftly to save the day. Thanks also to Miki David and Hilary Land for helping clarify the ways in which women have so often featured as the primary objects of the Social Security system's exercise of discipline. Finally, Mike Winwood generously allowed me to use his room during his study leave, something which proved very helpful at a time when I was beginning to write my first drafts of chapters.

During my research I was fortunate to be part of a lively group of postgraduate students who not only became good friends but also helped, as a group, to solve some of the problems and strains of postgraduate research. During my four years in Bristol, a number of people began or completed their research I'd like to record particular thanks, in roughly chronological order, to the following: Dave Berridge, Gill Blunden, Myna Trustram, Lyn Harrison, Gary Redhead, Max Krafchik, Ann Thorpe, Steve Norton, Peter Craig, Wendy Thomson. In an activity so potentially alienating as individual post-graduate research not only resources but contacts are also important. It would be difficult to imagine a more helpful and supportive group of companions.

Between 1979 and 1982, I was able to present some of my research work at seminars and conferences. In the Bristol Social Administration Department we held an interesting series of postgraduate seminars and I had the opportunity of delivering conference papers on a number of occasions; special thanks to the European Group for the Study of Deviance and Social Control, the Conference of Socialist Economists (Law and State Group) and Critical Social Policy.

During 1979-83, while I was working on the thesis, I became actively involved in the Bristol Claimants' Union which, for some 15 years, had been regularly meeting to give advice, organise the production and distribution of information, and help in fighting social security appeals. In the light of the changes discussed in the thesis, the development of greater numbers of self-defence organisations by claimants themselves is more and more essential as part of a political resistance to the toughening nature of DHSS administration and the denial of welfare rights.

Several people moved through the Claimants' Union during my four years membership and I'd like to acknowledge the work we did together and the small successes we achieved. The Claimants' Union was important to me for not only did it confirm, day in day out, the validity of the work I was doing, and the questions I was asking, but it was also a powerful motivating factor for continuing with it. Not all Claimants' Union members were clear what I was doing - or why! - but we shared a good deal in terms of assumptions, approach and political preoccupations. Thanks and best wishes to Pete Townend, Pam Judge, Nick Haycock, Mick Lawrence, John Casey, Alison, Stewart, Barbara Mawby and John Hemmingway.

In the course of the research a number of people helped with information and research material or comments on the work I had begun. Thanks are due to Michael Hill, Roger Smith (Solicitor for C.P.A.G.), Michael Meacher, Norman Buchan, Sam Silkin and Timothy Fortescue (Members of Parliament), to Norman Rose (Secretary of the Scottish Law Society), Bill Jordan, Bob Fine, Peter Taylor-Gooby, Martin Hewitt, Peter Golding, Adrian Sinfield, Fiona Paterson, Nigel South, Walter E Van Trier and to Miss Mackenzie (DHSS South-West Region Specialist Claims Control Coordinator) and David White (DHSS South-West Region Public Relations Officer) for agreeing to be interviewed.

Thanks also to the many friends I've made during the course of the research, for their comments on the work I was doing, their help, advice and friendship. Thanks especially to Tony Harrison, Gwyn Davis, Kay Bader, Ron Griffiths and Helen Suggitt. Last, but by no means least, thanks to David Rosenberg for his enthusiasm about the work I was carrying out, and his constant stream of advice, ideas and books. I shall miss him.

Above all, thanks to Kathy. Without her the thesis would not have been finished in its present form. Time after time she helped bale me out of a crisis and, without complaining (well, not much) she helped organise, type, proof-read and edit. For her substantial contribution to the production of the thesis, her support and confidence, I'd like to record, not only my thanks but, also my love.

To our respective parents, who weren't always clear about the nature of the research I was undertaking, but were wondering why it was taking so long, thanks are also due for their patience and frequent offers of help and support.

PETER SQUIRES

December 1984

PART ONE

HISTORY, THEORY AND SOCIAL POLICY

CHAPTER 1

INTRODUCTION

"Ever since our grisly custom of chopping off the ears of vagabonds, rogues and sturdy beggars, the British have had some difficulty in distinguishing poverty from crime. The poor have been a nuisance, a threat, and a burden throughout our history. Managing their continuing and irritating presence has been a major object of social policy. In fact the classification and criminalisation of the various poorer orders has often been its central task."

P. Golding, 'It's the Poor What Gets the Blame', New Society 1st April 1982.

"There is ... an assumption that the establishment of social welfare necessarily and inevitably contributes to the spread of humanism and the resolution of social injustice. The reverse can be true. Welfare as an institutional means can serve different masters. A multitude of sins may be committed in its appealing name. Welfare can be used as an instrument of economic growth which, by benefitting a minority, indirectly promotes greater inequality ... Welfare may be used to serve military and racial ends - as in Hitler's Germany ... Welfare may be used to narrow allegiances and not to diffuse them - as in employer's fringe benefit systems ... What matters then, what indeed is fundamental to the health of welfare, is the objective to which its face is set: to universalize humanistic ethics and the social rights of citizenship or to divide, discriminate and compete."

Richard Titmuss, 'The Limits of the Welfare State', New Left Review, 1964.

SANCTIONS IN SOCIAL POLICY: SEVERITIES OF A POLICE NATURE.

In 1859, discussing the new Prussian 'Divorce Law', Marx noted that it contained such, "severities, of a police nature," as might be considered "contrary to the concept of marriage." [1] To adapt this idea, is it not also the case that the policies and practices that we are now inclined to call 'social', and grouped under the 'Welfare State', themselves contain such "severities" [sanctions, penalties and restrictions], "of a police nature," as might be considered contrary to a concept of welfare?

This simple observation, coupled with the attempt to extend and apply the ideas of Michel Foucault, beyond the bounds of the institution, helped furnish an interest in what is best characterised as the 'dark side' of the welfare state. While it is certainly true that, in recent years the study of social policy and administration have benefitted from the attention of 'critical' and marxist scholars concerned to probe behind the social democratic 'appearance' of welfare capitalism, it was not intended to write an orthodox marxist critique of the evolution of the welfare state. For reasons which will become clear later, such an approach was rejected. Instead, the research combines many of the insights of both Marx and Foucault in order to throw light, not only upon both the foundations and evolution of the state apparatuses and the prevailing political order, but also upon the objectives, techniques and practices by which social policies secured their effects and helped give order to the social relations of the classes.

In the course of the research a powerful theme of discipline emerged to challenge the benign notion of welfare. This discipline has many dimensions, (class discipline, social discipline, labour discipline, penal discipline, self discipline) but on each occasion it fixed upon a subject and was relayed

through the techniques and practices of social policy. It is difficult to imagine a more authoritative rejection of the benign notion of welfare than the Webbs' (surely the very founders of modern social administration) firm assurance that,

The spirit of love, if it is to be truly beneficent, and therefore really kind, has to be disciplined. [2]

Yet if welfare was also discipline or, at least, if it always embodied disciplinary features, then the 'police nature' of welfare might appear rather more central to the operation of social policy than Marx, or many subsequent marxists. Implied. Confronting these kinds of issues, the project began to change shape. Sanctions, penalties and restrictions themselves, began to slip out of focus to become simply the elements within a more strategic conception of discipline. Such an organisation of discipline through social policy – at times concentrating very heavily upon the 'severities' of policy – then became the major theme of the research. By way of introduction, a few more notes upon the organisation of the project of research and the thesis itself are appropriate.

The present thesis, "Studies in the Criminalisation of Poverty", is not a single project. It consists of a series of complementary studies, studies which each relate to the title of the thesis but which do not, ultimately, conclude the project of research. This is important. The subtitle of the thesis, 'Pauperism, Pathology and Policing', refers to the different strategies (of control) which, in the age historians have come to call 'modernism', emerged out of attempts to manage populations. These three strategies (pauperism, pathology and policing) are each discussed within the thesis, their formation, dissolution or eclipse, and reformation, but they are by no means viewed as exhaustive of the strategies which might be, or have been, evolved in the effort to manage populations. From a number of sides, new strategies are being announced, new prerogatives and new logics of control. For instance, in Britain, E P Thompson, describing the stock-piling of nuclear weapons in Europe, the U.S.A. and the U.S.S.R., has suggested that mutual 'exterminism' might well represent "the highest stage of civilisation" under the capitalist mode of production. Similarly, in France, Robert Castel has conceived the 'post-disciplinary society' in the making, governed by predictive population

management, statistics and the absorption of deviance within the technique of government and the calibration of social 'risks' with other political and economic factors in governmental programmes. Jean Baudrillard, on the other hand, sees western civilisation as presiding over the fragmentation of all that goes under the category 'social' in a world governed by the virtually autonomous representations of the world, society and politics purveyed by the mass-communication industries and the 'silent majorities' - mass-culture, media-images and political alliances - that they are learning to fabricate. [3]

Such ideas, spelled out by Thompson, Castel and Baudrillard, are not considered here, however, except perhaps briefly in conclusion. The three strategies that are considered, are those which have emerged to found the basis of the exercise of power and political authority which we have come to call 'social policy'. The project of research began as an attempt to examine - at a theoretical level - the relationships between the Criminal Law and Social Policy in the study of Social Administration. The precise focus of the study changed, but not the particular preoccupations behind it. The thesis still bears the signs of its origins. It is still titled "Studies in the Criminalisation of Poverty", and it is still concerned with the application of penalties in social policy legislation, but the project has changed in quite significant ways. The substantive focus of the research has narrowed, coming to rest upon social security legislation in particular, whilst its social, political and sociological preoccupations have broadened.

The project has narrowed insofar as it was not feasible to conduct an analysis that looked at criminal sanctions in social policy across the board, the subject matter is too expansive and differentiated. To have examined sanctions in social policy in their entirety would have been to impose too coherent a conception of social policy upon the material. Policies are directed at different objectives, at different times, for different reasons and in different ways. While, certainly, there is order in all this variety, it cannot readily be flattened into a single dimension, any such 'functionalism' (a functionalism some appear to have detected in Foucault [4]) had to be rejected. Furthermore, the

sanctions within social policy are all aimed at different kinds of people, claimants, professionals, administrators, contractors and even politicians, but the primary concern was, less with the penal regulation of human groups, than with the disciplining of forms of social existence. In any event, even a conventional reading of the pattern of sanctions in respect of each of these groups would reveal that certain groups are more frequently the object of sanctions than others – the claimant is far more commonly the recipient of explicit sanctions than any of the other groups, for instance. Thus, it became much less a question of precisely who was being disciplined than of the actual condition itself which was being regulated.

Preliminary work showed criminal penalties, often of a very summary or minor character, interspersed throughout the legislation of the welfare state. Criminal penalties appeared in educational legislation, health legislation, employment legislation and so on. Yet no one field of 'social welfare' embodied so many summary penalties than social security legislation and, almost invariably, the sanctions of the social security system are directed at the claimants of assistance themselves. This is, no doubt, important. From a marxist perspective it is highly significant that the area of social policy most directly concerned with the organisation of subsistence outside of the labour contract should be so 'saturated' with penalties. If a form of social existence rather than specific groups of people were to be the true object of disciplinary power, then the regulation of poverty and social security – the criminalisation of poverty, the condition of existence of the working class – would certainly give coherence to the organisation of social discipline. [5]

Furthermore, the rich crop of penalties in social security legislation is uniquely over-determined by both hostile public and political attitudes and by disciplinary arrangements of social security throughout the developed world. A preoccupation with 'fraud', 'abuse' and 'scrounging', as well as a hostile policing of the recipients of welfare benefits has been reported in Ireland, the United States, West Germany, Australia, New Zealand, Sweden, the U.S.S.R., Israel and even China – as well as Britain. It is clear, therefore, that a concern with discipline and with the policing of the incomes of the

poorest is almost endemic to the organisation of social security. [6]

There are, of course, clear and well-understood explanations for why social security systems exhibit these characteristics. As Piven and Cloward have argued in their path-breaking analysis of Regulating the Poor,

Relief arrangements are ancillary to economic arrangements. Their chief function is to regulate labour ... Some of the aged, the disabled, the insane and others who are no use as workers are left on the relief rolls, and their treatment is so degrading and punitive as to instill in the labouring masses a fear of the fate that awaits them should they relax into begging and pauperism. To demean and punish those who do not work is to exalt by contrast even the meanest labour at the meanest wages. [7]

Moreover, the importance of disciplinary social security in the capitalist economy – which has traditionally relied upon wage labour – is quite clear. As Novak has remarked,

In a society where poverty remains the principal incentive, the relief of poverty cannot abolish poverty: social security maintains people at a level of subsistence and, moreover, it itself has to reinforce the discipline which its provision against the consequences of poverty and unemployment relieves. [8]

However, while such a foundation of discipline upon the labour market would seem to account very well for the general organisation of social security systems in advanced states and, further, for the general rules of formation of 'welfare' policies, it is not as effective in accounting for the particular forms taken by social discipline and strategies of social control in different historical periods. For an examination of these more specific aspects of social security schemes, we must supplement our analysis.

Upon the basis of the research's broadly 'marxist' orientation, a more specifically 'foucauldian' project could investigate the modes and organisation of disciplinary strategies, their objectives, techniques and effects and their emergence, dispersion and reformulation. This perspective would allow the analysis to broaden. Having identified social security as the area in which the most obvious and explicit sanctions had the most easily discernible targets and objectives, it became possible to address the organisation of social discipline

and disciplinary effects throughout social security policies in a concrete historical way.

The dimensions of this project are spelled out later, but, for the moment, we should note the ways in which they are directly related to the modes of organisation of discipline in social policy. The three strategies, 'pauperism, pathology and policing', give us the broad outlines of these modes of organisation. The important question is not so much, 'why is social policy disciplinary?' (a marxist approach would allow us to answer this question quite competently) but, rather, 'how is social policy disciplinary?' Why has the form and content of this discipline changed so markedly over the years? Why are there three strategies to the criminalisation of poverty (and more)? What do these particular strategies tell us about the foundations of political order and the 'character' of social policy in different periods?

These are the kinds of questions which emerge out of the expanded research project. They are, at once, more theoretically informed, more concrete and, ultimately, more thought-provoking. They do not envisage a discipline-free social policy, which would, at any rate, be a patent impossibility, but seek to connect the modes of discipline to the bases of political order and the objects of disciplinary control (surveillance, intervention, distribution, supervision or investigation) by emphasising the techniques and processes by which that discipline is exercised.

More direct and empirical questions also emerge from under the shade of a single dialectic of contradiction and control, questions which crude applications of marxist theory in social administration have tended to relegate to a strictly secondary significance compared to the central motor of class struggle with its 'standard' indicators of 'progress' and 'social condition'. In reality, however, the modes of discipline in question, represent the genesis of new techniques for the exercise of power. Thus, in 1979 when this research began, a right-wing Conservative Government had just been elected, its manifesto, not for the first time, having promised to 'clamp down' upon social security 'fraud and abuse'. In office, the new Government proceeded to do just that - and

more besides.

Almost 150 years earlier, a similar 'clamp down' in the field of social security had taken place and, in many respects, the discourse of 'fraud and abuse' involved was identical. Yet the two events are far apart in time, organisation and strategic significance. In 1979 the new Government was not confining the poor in workhouses, requiring the 'able-bodied males' to work but, rather, almost casting the poorest and the unemployed adrift from traditional social obligations – adrift from society itself. The poor were, in effect, marginalised, residualised and disentitled. In 1979, the government stressed the 'serious nature' of the 'frauds and abuses' which served as the central ideological concerns within its strategy of control yet, in its disciplinary techniques, it began to move away from the principle of prosecution – the clearest way of demonstrating 'fraud' – as a means of control.

The emergence of a new and 'critical' social policy, in recent years, has not been entirely redundant. We understand why a perennial preoccupation with 'fraud and abuse' has resurfaced once again during a period of high unemployment, but not necessarily why it has taken its present form. Likewise, it is uncertain what the consequences of these new forms of control might be in the longer term. These kinds of issues remain very central to the question of the 'criminalisation of poverty', and, in the final chapters of the thesis, they give rise to further questions about the mode and strategic significance of forms of discipline within social policy, and the constitution of particular objects of control.

While the 1979 Government's 'clamp down' (the 'Campaign against Social Security Fraud and Abuse', launched in February 1980, and the new techniques for 'policing' the system of entitlements) clearly had specific groups of people as its 'targets', it is far more important to acknowledge the ways in which the new measures it introduced sought to impregnate certain lifestyles and certain sets of social relations with disciplinary forms of order, power and authority.

Following Foucault's own work on the prison, and particularly upon the

structuring of power within the walls of the penitentiary – and beyond. It seemed appropriate to ask the question whether social policy mobilised similar relations of power and authority and, if so, how, and what role was played in all of this by the specific forms of penalty within particular organisations of social security. The fact that questions of this kind remained largely unanswered, despite a growing discourse of 'critical' social policy seemed, as Nikolas Rose has suggested, to point to large holes at the centre of our conception of social policy. For, in much of what passes for analysis in social policy, we seem to have, "lost the ability to examine the specific contributions which the apparatuses and agencies of welfare and social policy have made to the field of social relations in the 20th century." [9] From a perspective deriving from Foucault's work and stressing the significance of policy as the mechanism of a particular kind of discipline, Rose's comment pointed towards the need for an examination of the structuring of disciplinary social relations through the state's organisation of social policy, in particular, its organisation of the subsistence of large sections of a population through its social security system.

SOCIAL POLICY, DISCIPLINE AND THE REDISCOVERY OF SOCIAL RELATIONS

In identifying these apparent weaknesses, or omissions, in our analyses of social policy, particularly weaknesses in the explanation of social security policy, an area to which marxists have, traditionally, devoted more than a little attention, we have, perhaps inadvertently, uncovered a number of central problems within marxist theory and politics. In view of the fact that we shall continue to encounter these problems throughout a good deal of the ensuing thesis, it is important to consider them, albeit fairly briefly, here.

It is hardly original to claim, in the wake of a wide range of attempts by marxist and neo-marxist writers to refine a historical materialist contribution to social and political theory, that there are certain unresolved difficulties in key areas of marxist theory. It has become almost commonplace to observe that Marx left no general theory of the state, of politics or of law (let alone social policy) in

the body of his works. Less often, however, is the adequacy of marxist attempts to outline a theory of society and social relations discussed. This is a problem, for in many ways an adequate theorisation of social relations is fundamental to marxist theory. Yet it is seldom made explicit how an adequate conception of the organisation (or structuring) of human social relations is absolutely central to any account of production and reproduction, of political order and, above all, of determinism, in marxist political theory.

All too often, even in more sophisticated marxist attempts to explain change and development, social relations are simply 'read off' or 'derived from' a 'certain stage' of economic development, or a certain alignment of the productive forces. Alternatively, social relations are interpreted as no more than the interactions of active, conscious subjects endowed with reason and free-will. Translated to the sphere of state practices and social policy-making, this tends to imply that, behind any measure of regulation, discipline or constraint, we might perceive the hand of the ruling class or their agents.

Of course, neither economism nor instrumentalism are new problems for marxist theory. The relegation of all social relations to a strictly 'superstructural', or peripheral, significance – largely the result of Marx' own fairly casual use of metaphors [10] – or, on the other hand, the privileging, to the exclusion of all else, of actors' own accounts of behaviour and motivation, has, for too long, prevented marxist theorists from finding an adequate means of theorising the determination of social relations. Shortly after Marx' death, it fell to Engels to warn against a too economic reading of Marx' work, and the conflation of politics with economics, [11] yet an account could scarcely be considered marxist at all if it failed to explain (or failed to attempt to explain) the management of social order, or the organisation of social cohesion, by reference to some conception of material determinism.

In recent years there have been several attempts by Marxists to explain the role of the state, the evolution of state policy and the organisation of political power. Accounts have variously stressed: the stage of development of the productive forces, the 'logic' of capital, the organisation of hegemony and the

formation of class interests. Alternatively, writers have advanced an account of class-essentialism, emphasising the place of workers and managers in the process of production, and co-opting an account of ideology as 'false-consciousness' in order to explain deviations from their 'model'.

Yet, to whichever of the schools of marxist theory a particular account might approximate, both of the general accounts sketched above have in common a near total disregard for the structuring of social relations, the detailed structuring of human existence at its very roots. To fail to give any theoretical priority to the question of social relations is to admit of a major theoretical weakness in marxist social theory. It is much to Foucault's merit, as Lecourt has suggested, that he has rediscovered the importance of explaining the organisation of social relations as a contribution to an account of the production and reproduction of social and political order.

Nevertheless, there is some considerable risk in shifting our attention away from an analysis of the general foundations of power and political order, to an examination of the specific constitution of human social relationships (that is, from a formal and macro-level analysis of power and political order, to an approach that is capillary and contextual in its emphasis). For, as Jessop has argued,

If we reject the economistic approach with its reduction of the social formation to a base/superstructure system and also reject the subjectivist doctrine that social formations are a product of agents endowed with reason autonomy and free-will, it is necessary to develop an alternative account for the relative unity of a social formation (the so-called 'society effect') and to suggest an alternative approach to the analysis of social action in social reproduction.

At the same time, however, Jessop's work also provides us with a valuable statement of the need for an adequate account of social relations within marxist theory. "A relational approach," he suggests,

enables us to locate the problematic concept of 'power' ... power should not be seen as a pre-given quantum or property of particular agents that is allocated in a zero-sum fashion [rather] it should be seen ... as a complex social relation reflecting the balance of forces in a given situation. [12]

Clearly, Jessop's remarks throw into question the entire problem of causality and determinism – especially important in marxist social theory. It is important to consider these issues by way of an introduction, but it would be far too much to attempt to launch anything like a thorough discussion of them here and now. What follows, is an attempt to identify the main themes in marxist accounts of determinism and the foundation of political order. Having done so, we should then examine Foucault's social and political theory in order to determine how it might help us overcome the problems identified by Jessop.

In a number of oft-quoted statements, Marx outlined his conception of the determination of social relations but, ironically, it was left to Engels, often considered the modern founder of the science of marxist historical materialism, to try to set the record straight as regards the marxist concept of economic determinism.

According to the materialist conception of history, the ultimately determining element in history is the production and reproduction of real life. More than this neither Marx nor I have ever asserted. Hence, if somebody twists this into saying that the economic element is the only determining one, he transforms that proposition into a meaningless, abstract, senseless phrase ...

Marx and I are ourselves partly to blame for the fact that younger people sometimes lay more stress on the economic side than is due to it. We had to emphasize the main principle vis à vis our adversaries, who denied it, and we had not always the time, the place or the opportunity to give their due to the other elements involved in the interaction ... I cannot exempt many of the more recent 'marxists' from this reproach, for the most amazing rubbish has been produced in this quarter too. [13]

Notwithstanding Engels' remarks about the priority of the economic realm in historical materialism, the most important characteristic of the marxist conception of determination relates to its concrete historical foundation. It is true that Marx did attempt to derive general historical laws governing the social processes of capitalist society from his specific descriptions and observations, but a substantial part of his work was empirical. Mode of production and social relations were united in specific historical conjunctures. The connections between the forces of production and social relations, were not abstract and formal, but definite, quite specific and mutually determining. As Marx pointed

out in his 1859 Preface to A Contribution to the Critique of Political Economy. (one of his foremost attempts to spell out the basic elements of historical materialism).

In the social production of their life, men enter into definite relations that are indispensable and independent, relations of production which correspond to a definite stage of their material productive forces. The sum total of these relations of production constitutes the economic structure of society, the real foundation, upon which rises a legal and political superstructure and to which correspond definite forms of social consciousness. [14]

Two further features of the marxist conception of determination follow from the above remarks. On the one hand, marxist historical materialism would seem to require that some kind of causal priority be accorded to material conditions, or the mode of production, whilst, on the other hand, it is clear that forces of production and social relations are, always and everywhere, related, mutually indistinguishable, different but inseparable. [15] Two further extracts from Marx' writing helps illustrate these points. The first extract is taken from The German Ideology, the second from Capital Volume III.

The production of life ... appears at once as a double relationship, on the one hand as a natural on the other as a social relationship. By social is meant co-operation of several individuals, no matter under what conditions, in what manner or to what end. It follows from this that a determinate mode of production, or industrial stage, is always bound up with a determinate mode of co-operation or social stage, and that this mode of co-operation is itself a productive force.

The specific economic form, in which unpaid surplus labour is pumped out of the direct producers, determines the relationship between rulers and ruled, as it grows out of production itself and, in turn, reacts upon it as a determining element. Upon this, however, is founded the entire formation of the economic community which grows out of the production relations themselves, thereby simultaneously its specific political form. It is always the direct relationship of the owners of the conditions of production to the direct producers - a relationship always naturally corresponding to a definite stage in the development of the methods of labour and thereby its social productivity - which reveals the innermost secret of the entire social structure, and with it the political form of the relation of sovereignty and dependence, in short the corresponding specific form of the state. [16]

The three central components of determinism so far considered outline a series of potential relationships that are neither abstract nor add up to a general

theory. They outline a mode of possible enquiry by which social structures and the foundations of social formations might be made comprehensible, but they serve only as principles to be elaborated in concrete empirical settings, and do not preclude empirical verification. As Callinicos and McLennan have argued, marxism cannot serve as an abstract model of social order. It should serve rather as a guide. "It guides according to substantive theoretical propositions, not methodologically." In this way, therefore, marxism the science is replaced by marxism the series of relative propositions. [17]

Taking marxism's central principles of determinism as our guide, we can observe the ways in which they pose the general relationships which may be possible within a particular social formation embodying a certain mode of production. However, while these principles allow us to describe, with some degree of accuracy, the general pattern of social relations likely within such a social formation, they say relatively little about the precise form that these relations will take. In short, the marxist principles of determinism help elucidate the overall structure of social relations, but say relatively little about the particular form or nature of these social relations. It appears, therefore, that there is some considerable scope for an analysis which might 'fill-in' these apparent gaps within marxist accounts of determinism. To help clarify what it is that an alternative (or complementary) approach must seek to explain, it is helpful to draw upon two further aspects usually associated with the marxist conception of determination.

The first of the two additional aspects of determinism to be considered relates to the problematic relationship between structure and subject in marxism. Within the marxist theoretical tradition we are encouraged to view power as if it were, primarily, the capacity of individual agents (human beings, social groups, institutions). Certainly, the capacities of these 'agents' are combined and articulated collectively as policies, techniques or strategies, but there remains, within the marxian schema, a host of residual subjects. Undoubtedly, it is precisely these residual subjects, classes, the state, even 'key' political leaders which open the door to so many instrumentalist readings of marxist theory. In an account of the specificity of social relations, therefore, we must

retain the general structure of determination, but reject the relative privileging of the subject that it seems to entail, for the reasons alluded to above, namely, that to privilege the subject implies making distinctions between 'true' and 'false' consciousness, that it seems to impute 'free will' to subjects and that it implies, above all, their (relative) autonomy.

In his final book State, Power, Socialism, Nicos Poulantzas, who was responsible for first introducing many of the new marxist concepts to modern sociology, sought to grapple with the implications of applying the insights of Foucault to contemporary marxism. Poulantzas can by no means be said to have 'reconciled' his work with that of Foucault, but he did go some way towards taking on board Foucault's attempt^t to de-centre the political subject. He applied Foucault's insight to challenge marxism's a priori privileging of social class and the state. The following remark is worth recording, not simply because it bears witness to Poulantzas's adoption of certain of Foucault's ideas, but also because Poulantzas uses them to decentre the state, a structure (or category) that had previously assumed an absolutely central significance in his social theory.

Class struggles have primacy over, and stretch far beyond the state ... the relations of power also outmeasure the state in another sense: relations of power do not exhaust class relations and may go a certain way beyond them. Of course, they will still have class pertinency, continuing to be located and to have a stake, in the terrain of political domination. [18]

Similarly, although it might, at first, seem strange to find areas of agreement between Foucault and E. P. Thompson, it is nonetheless true that in the latter's extensive critique of Althusserian marxism, The Poverty of Theory, Thompson made a number of points which were, at times, very similar to Foucault's concerning the overly deterministic character of certain marxist traditions. The target of Thompson's critique was the tendency of certain marxists to conflate the idea of capital (an abstraction from political economy) with capitalism ("the complicated bourgeois system") and, he continued,

Society comprises many activities and relations (of power, consciousness, sexual, cultural, normative) which are not the concern of Political Economy, which have been defined out of Political Economy, and for which it has no terms. Therefore, Political Economy cannot show capitalism as 'capital in the totality of its

relations': It has no language or terms to do this ... subsequent historical materialism has not found this kind of 'organism' working out its own self-fulfillment with inexorable idealist logic, nor has it found any society which can be simply described as 'capital in the totality of its relations' ... But historical materialism has found that Marx had a most profound intuition ... that the logic of capitalist process has found expression within all the activities of a society and exerted a determining pressure upon its development and form: hence enabling us to speak of capitalism, or of capitalist societies. But this is a very different conclusion, a critically different conclusion, which, on the one hand, gives us an organicist structuralism (ultimately an idea of capital unfolding itself) and a real historical process, on the other. [19]

The final aspect of determinism we shall consider here, and one which has a direct bearing upon our consideration of 'social relations', concerns the supposedly singular dimension of marxist conceptions of determination. This feature and the problems it entails can best be illustrated by the use of a couple of examples. The problems encountered by virtue of marxism's apparent acceptance of a largely 'one-dimensional' view of determinism will then form the basis for our attempt to assess how far the insights of Foucault allow us to develop an adequate account of the structuring of social relations.

Our examples are drawn from two fairly recent books written by academics working in the field of 'critical' social policy. One is quite explicitly a marxist writer who has, in recent years, made a considerable contribution to marxist theories of social policy and of the development of the welfare state. The other author, although not a marxist, has worked for some time on the relationships between law and social policy, two fields of immediate relevance to the present thesis. The two examples are used because each, in its own way, exhibits problems of the kind elaborated above, problems that are fundamental to our traditional conceptions of social policy - problems which are bound up with what Foucault has termed the 'juridico-discursive' view of power. The crucial point is, that both writers reveal, through their work, the same series of assumptions about determination, power and causality. At first sight, there seems to be a great deal in common between the humanist discourse of welfare out of which modern social administration has evolved, and marxism. Both traditions reflect the 'juridico-discursive' conception of power. [20] That is to say, exponents of the discourses of social policy and administration seldom appear

to question the assumption that power is essentially one-dimensional and that it is correctly viewed as the instrument of a sovereign subject. [21]

Manifesting the essential similarity of their general approaches, Rosalyn Brooke has written, "The law impinges upon social policy and administration," [22] whilst Ian Gough has remarked, "The capitalist state impinges upon all areas of life ... [a]side from the field of social policy." [23] Deriving from these two short statements are questions, pertaining to determination, which Foucault has also attempted to address. Thus, Brooke and Gough remain trapped within a discourse which sees power, authority, causality or determination as essentially one-dimensional. Foucault, however, has identified a uniquely historical problem, a problem of immediate relevance to the present enquiry.

CAPITALISTS AND KINGS

According to Foucault, the problem is one of, "discovering why the West has insisted for so long in seeing the power it exercises as juridical and negative rather than as technical and positive." [24] He suggests that the answer to this question is bound up with the institution of the monarchy and subsequently with the state. Yet, he adds,

To pose the problem in terms of the state is to continue posing it in terms of sovereign and sovereignty, that is to say, in terms of law. If one describes phenomena of power as dependent upon the state apparatus, this means grasping them as essentially repressive ... The state for all the omnipotence of its apparatuses, is far from being able to occupy the whole field of actual power relations ... The state is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology and so forth. [25]

As Foucault has pointed out, traditional descriptions of power effects within the advanced capitalist social formation are usually confined to the legacy of the sovereign and "the general juridical form", [26] in which statuses and 'formally egalitarian' rights are inscribed. In this context, and in the face of the theoretical problems outlined earlier, what modern social and political theory seems to require,

is a political philosophy that isn't erected around the problem of sovereignty, nor therefore around the problems of law and prohibition. We need to cut off the King's head: in political theory that still has to be done. [27]

Commenting upon the challenge that Foucault's work poses to some readings of Marx, Minson has demonstrated how 'classical' marxism conforms, often in large measure, to classical political philosophy. Of the four central tenets of classical political philosophy identified by Minson, [28] marxism would seem to be in substantial agreement with two of them. By contrast with the more traditional forms of political thought, however, "marxism makes the location of the political domain a problem requiring analysis in that it refuses to restrict it to the standard institutional locations." [29] However, drawing upon the work of Cutler et al., [30] Minson suggests that marxism cannot, except at the cost of theoretical indeterminacy, "refuse the assumption of the homogeneity of political power." For, "when all the recent complications of marxist political theory are taken into account, the figure of the ruling class can still be discerned." [31]

Nevertheless, in earlier pages, it appeared necessary to go to some lengths to attempt to dispose of a certain kind of reading of this homogeneity in marxism. Homogeneity should not be misunderstood as unity. The series of relational propositions which constitute determination in the marxist scheme offer us a relative coherence rather than a unity. Nonetheless, Minson is correct to point out certain of Foucault's ambiguities concerning the transition from absolutist political systems (characterised by monarchical repression confronting an oppositional, popular moral economy [32]) to the era of disciplinary power (which has juxtaposed the disciplinary rigours of capitalist political economy to a series of 'social' and, increasingly, individual demands and aspirations [33]).

According to Minson, Foucault's work was ambiguous about the way in which a relational form of power emerged from within the disciplinary strategies entailed by utilitarian practices and classical political economy. [34] Furthermore, it is not entirely clear, at the outset, whether our respective discussions of determination or power are theoretically commensurate. Marxists

employ the concepts of 'determination' and of 'power' (class power, state power), whereas Foucault, it has been suggested, tends to reduce all social relations to relations of power, while employing an anti-subjectivist conception of strategy to account for a particular pattern of events or effects. That is to say, Foucault's analysis of forms of power tends to equate these forms very closely with their alle_ged effects. It is this factor which has led Minson to believe that he has discovered a basic problem within Foucault's analysis of discipline. In places, he suggests, "Foucault ... definitely identifies the actual mode of operation of sovereign power with its ideological expression in absolutist legal principles and penal symbolism ... Yet, in 'Discipline and Punish' the discussion of the absolutist power to punish is conducted in a relational mode." [35] Minson seeks to substantiate this view by referring to the 'punitive spectacles', the elaborate scaffold services and penal symbolism which were characteristic of the absolutist epoch. [36]

However, Minson can be criticised on this point. The character of absolutist power was repressive, a confrontation with a popular moral economy (a moral economy which flourished in the interstices of absolutist permissions and repressions [37]). Foucault has referred to this moral economy as a "margin of tolerated illegality":

Sometimes it took the form of a massive general non-observance, which meant that for decades, sometimes for centuries, ordinances could be published and constantly renewed without ever being implemented. Sometimes it was a matter of laws gradually falling into abeyance, then suddenly being reactivated; sometimes of silent consent on the part of the authorities, neglect, or quite simply the actual impossibility of imposing the law or apprehending offenders. [38]

The apparent arbitrariness referred to in this passage best characterises the nature of absolutist power in this period. [39] Equally, however, examples can be found indicating the ease by which the prison 'authorities' were able to secure the transition from the 'dens of vice' of the eighteenth century to the arenas of control which characterised the reformed prisons. [40]

The problem remains, however, the repressive spectacles and illegallties identified by Foucault are not inherent in the operation of power in the

absolutist mode, for repression does not admit of many relational characteristics. Spectacles and tolerated illegalities are evidence of sovereign authority – countervailing resistances and symbolic confrontations – they are not the mode of exercise of absolutist power itself. This point is emphasised by Foucault, for whom, "discipline makes possible the operation of a relational power that sustains itself by its own mechanism." [41] The distinction between sovereign authority and disciplinary power could not be more explicit. The essential mode of operation of disciplinary power was relational, that is to say, multi-dimensional. In contrast, the mode of operation of absolutist power was uni-dimensional. The relational (or uni-dimensional) character of disciplinary power stemmed from the fact that its operation was social – that is, in contrast to that earlier regime which has been referred to as the 'pre-social'. [42]

The essence of social discipline can usefully be described as contextual. Its operation is rooted in a system – a mechanism for the securing of political effects – for example, the factory, the prison, the poor-house. Thus:

the perfection of power should render its actual exercise unnecessary ... this architectural apparatus should be a machine for creating and sustaining a power relation independent of the person who exercises it, in short ... the inmates should be caught up in a power situation of which they themselves are the bearers." [43]

Discipline becomes an 'anatomy of power', a 'technology'. It is identified, ultimately, "neither with an institution nor with an apparatus: it is a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets". [44] In this way, by being social and relational, discipline was also societal. [45] Capitalist production, the market, political economy, enhanced by the pressure of subsistence aided by the operation of the work-house (or, more schematically, Bentham's plan for a National Charity Company [46]) were, in the utilitarian vision, to transform society and render it efficient and manageable. [47]

The uniqueness of disciplinary power, as embodied in political economy, lay in the fact that its effective operation actively drew upon the labours and aspirations of the population themselves. Discipline helped render the distribution (distribution around a norm [48]) of characteristics in a population

(attitudes, divisions, choices) calculable and measurable. The 'political arithmetic' of William Petty makes explicit the relationship between the 'economic' form of discipline gaining ascendancy in the late eighteenth and early nineteenth centuries and what Hacking has called "the emergence of probability". [49]

Constructs such as the norm and probability exhibited, especially in the works of Bentham, the political economists' desire for certainty and political order. This was most apparent in Bentham's work on law. Bentham maintained a relational view of legal action. "Law was not viewed simply as an instrument of hegemony but as a rational mediation of existing class relations. It would provide artificially an identification of interests by the realisation of the principle of utility through the establishment of a system of 'direct' and 'indirect' legislation." [50] Bentham's notion of disciplinary power was also societal. [51]

It is Bentham's distinction between direct and indirect legislation, however, that is of interest for the moment. In describing the 'Panopticon or Inspection House' as the embodiment of the new system of power, Foucault was, perhaps, only partly correct. In reality, the panopticon straddled two systems of power relations: the 'indirect' relational power of a calculated distribution – discipline, and a direct force of objectification and coercion – repression. Yet the two systems were reciprocal, a sense of mutual presupposition pervades their relationship, although the two modes of power each address a different logic of order. The former, societal, relational and discrete, was geared to the enhancement of normalcy (hence fundamentally future-oriented) and corresponded to Bentham's 'indirect' legislation. The latter, repressive, symbolic and politically expensive, was charged with the elimination of deviance and the coercion of marginality (hence the direct application of force) and corresponded to Bentham's notion of 'direct' legislation. [52] Yet one could not function without the other.

Bentham's indirect forms of legislation (the relational forms of power, "are those which, without having the character of punishments, act upon a man physically or morally, to dispose him to obey the laws, to shield him from the

temptations, to govern him by his inclinations and his knowledge." [53] As John Annette adds, "Indirect legislation or social therapeutics aimed, therefore, to condition human behaviour as manifested in contemporary society. This process of 'conditioning' could be through social legislation and the creation of social institutions like prisons, poor-houses, schools etc.." [54]

Yet these institutions, and here the penitentiary, prison or workhouse provide the best examples, despite the fact that their primary mode of operation was disciplinary, based upon the power of the norm which actively employed the characteristics, dispositions and aspirations of the inmates, could not function effectively without recourse to force (the repressive mode of power). In the first place, the penitentiary was situated at the end of a legal process which entailed elements of pure coercion. Access to the penitentiary regime, therefore, entailed a certain application of coercion – the same was true of Bentham's plan for a 'National Charity Company' incorporating a regime of panopticon workhouses [55] although the mechanisms of transition into the latter were rather more consistent with the disciplinary principles of the regime itself. Nevertheless, the general point holds, the disciplinary regimes were founded upon frequently explicit coercion. [56]

In the second place, the internal operation of the disciplinary regime required, just as the social body as a whole required, a police action to supplement the functioning of disciplinary technologies. [57] As in the penitentiary, the surveillance (in the asylum, poor-house etc.) was only rendered effective by the threat of force implicit in the authority of the governor, guardian, overseer or warder. This authority provided the mechanism of transition within the levels of the disciplinary regime; the coercive relay that rendered more effective the 'automatic' and relational power of the disciplinary regime itself. This factor was recognised as much in the penitentiary as in the operation of poor relief.

In the first half of the nineteenth century, the Society for the Improvement of Prison Discipline called persistently for more 'inspection', embodied in the authority of the prison governor or chaplain, to supplant the operation of the

disciplinary regime. [58] In the latter part of that century, however, it was the moral and philanthropic principles of the Charity Organisation Society which bore witness to the perceived limits of political economy as an (exclusively) effective system of relational discipline. In the 1860's and 1870's, philanthropists argued vociferously for a more effective policing of the morals of the working class family. [59] It was not that the disciplinary machines of the Benthamite era were not working, quite the contrary, for the range of deviant characteristics they produced, arranged around a norm, provided the dialectical antithesis to the coercive authority that policed the boundaries of normalcy.

The dialectic which existed between the relational discipline of the political regime and the coercion of its boundaries helps to inform Bentham's view that: "When most of us speak of liberty what we mean is security - and security is the work of the law, coercing those who would interfere with or injure those whom it means to favour." As Bentham indicated too, the principle object of the law was the care of security. [60]

The very circularity of the relationship between coercive security and relational discipline (the relationship whereby each created the conditions for and necessitated the operation of the other) was evident to Bentham; he proposed precisely the same regime for his poor-houses as for his penitentiaries. Discipline and labour plus the relations of supervision and inspection were as essential to each. The political regime's capacity to distribute characteristics (of deviancy) around a norm (ie. its capacity to produce delinquency) necessitated a recourse to more explicit forms^{of} violence or authority: the power of law or the state, for instance, the employment of strike-breakers, anti-union legislation and the use of troops against Chartist demonstrators. To acknowledge this is not to return to a reductionist view of state power, for already the power of the state has been curtailed, the state itself decentred. Certainly the power of the state is frequently entailed, but less often is it immediately present as a coercive force. To invoke such a distinction (between the state's actual use of force and its facilitation of certain socio-political relations) is to recall the dialectical relationship between the two modes of power in late capitalism as perceived by Santos:

The first [mode of power] is centralised, 'physically' located in formal institutions, and hierarchically organised. This is the traditional concept of juridical power. It is a macro-power that since the seventeenth century has found its most complete embodiment in state power. The second is the power emerging wherever social relations and interactions are unequal, in the family, at school, on the street, etc. It is a micro-power. It is eccentric, atomized, multiple, without specific location, mobile - in sum chaotic. [61]

Such a depiction of the contrasting forms of power in late capitalism is not a precise equivalent of the relations of power as described by Foucault. Furthermore, Santos has failed to spell out the relations between the two forms of power, in particular, the constitution of the latter by the former in concrete historical situations. However, to discuss in such terms is to accept the dialectical relationship between alternative conceptions of power, thereby modifying, to a considerable degree, more traditional views of power. The outcome of this dialectical interaction of domination and social relations is that the former principle categories of thought: state and civil society, public and private, and, we might go further, the economic and the political, base and superstructure, are no longer adequate to describe power relations, strategy, the formulation of policy, or, to make the point more explicit, determinism. [62]

While accepting these points, the juridical constitution and penetration of social relations is forever an extension of the disciplinary regime, implying an increasingly subtle normalisation (the distribution of characteristics around a norm) and, correspondingly, the dialectic of incorporation and exclusion. [63] The multiplication of disciplinary procedures and relational techniques is the corollary of the rapid growth of relatively marginal sections of the population and the increasingly authoritarian direction taken by more traditional forms of state power. [64]

THE LAST RESTING PLACE OF THE RULING CLASS ? [65]

Having explored a number of the issues raised by Foucault's conception of disciplinary power, we must now deal with a number of other problems of social theory to which they relate. A particularly important problem relates to

Minson's observation that, beyond the epistemological complexity of certain approaches to marxist social and political theory, "the figure of the ruling class can still be discerned." Such a remark would seem to suggest that our theories of capitalist social forms have not kept pace with our analyses of the impacts of power. If our political philosophy has not yet beheaded the King, neither has our marxist social and political theory yet decapitated the capitalist.

This is somewhat trite, what does it mean? Where is the equivalence between capitalist social relations and theories of power that this relationship implies exists. On this question, Foucault is explicit, he points to a familiar historical conjuncture to express a sense of this equivalence between social relations (relations of power) and capitalist relations of production. The two aspects of this conjuncture were the demographic thrust of the eighteenth century and the qualitative growth in the apparatuses of production.

If the economic take-off of the west began with the techniques that made possible the accumulation of capital, it might perhaps be said that the methods for administering the accumulation of men made possible a political take-off in relation to the traditional, ritual, costly, violent forms of power ... In fact the two processes - the accumulation of men and the accumulation of capital - cannot be separated; it would not have been possible to solve the problem of the accumulation of men without the growth of an apparatus of production capable of sustaining them and using them; conversely the techniques that made the cumulative multiplicity of men useful accelerated the accumulation of capital. At a less general level, the technological mutations of the apparatus of production, the division of labour and the elaboration of disciplinary techniques sustained an ensemble of very close relations. Each makes the other possible and necessary: each provides a model for the other. [66]

We have seen something of the extent to which Marxist social theory has, unwittingly perhaps, adopted the juridico-discursive view of power. In doing so it has borrowed from the classical political philosophy by which power is viewed as the possession, the capacity, of an active subject. Marxist theory has criticised the juridical form of bourgeois institutions and 'discovered' the roots of contemporary social relations in the capitalist relations of production. But it has, effectively, only replaced the juridic forms of authority with economic forms - the capitalist, the ruling economic class, the state, or some combination of all three. Aware of such problems, Poulantzas has alerted us

to the expressly political dangers of economic reductionism in our analyses of capitalism, dangers likely to result in the adoption of essentially social democratic political strategies. These dangers have been, likewise, confirmed by Minson who has identified an active, determinant, economic class in much contemporary marxist theory. Thus the problem of the subject, of determination, persists (ultimately both 'class essentialism' and structural reductionism reside in this problem). If marxist theory continues to pose the ruling class as the primary social actor, then, as we have seen, a strategy of replacement is all that need ensue. [67] If, on the other hand, as Foucault has shown to be the case, we acknowledge the effectivity of the new modalities of power in the twentieth century: that is, modalities which are structured and relational, capitalist and disciplinary, then such a strategy (as it has been characterised – social democracy) is quite inadequate. [68]

To summarise, the reductionist thesis in some versions of marxism offers, ultimately, only a strategy of replacement and courts the dangers of instrumentalism, and class essentialism, thereby remaining bound by the social and political strictures of social democracy. [69] Marxist structuralism, on the other hand, whilst offering formally the possibility of decapitating the capitalist once and for all, fails in practice insofar as it treats 'social' (f)actors as the carriers of structural capacities, the 'tragers of structures' to adopt Althusser's phrase. [70] In such conceptions the factors of a social formation serve as no more than the relays of a 'logic of capital' to which the only possible response is one of idealism [71] (partly the capture of 'key' structural positions and partly the articulation of absolute standards which are to be attained – again, social democracy).

In opposition to these approaches it is necessary to develop an analysis that provides a structural and relational understanding of the determinate and disciplinary character of the capitalist mode of production and representation. [72] As has been indicated earlier, an approach to this problem requires an adequate theorisation of 'social relations' in historical materialism and, as Lecourt has remarked, it is to Foucault's credit that he has 'rediscovered' this as a political problem and enabled us to direct our questioning to it. [73]

The problematic entailed in the new economy of power which Foucault has subsequently redefined as a problem of 'governmentality'. [74] consists in the effort to specify the bases of the functioning of the disciplinary form of power in the contemporary capitalist social formation. Foucault has attempted to sketch the elements of this functioning of power:

The disciplines are techniques for assuring the ordering of human multiplicities ... The peculiarity of the disciplines is that they try to define in relation to the multiplicities a tactics of power that fulfills three criteria: firstly, to obtain the exercise of power at the least possible cost (economically by the low expenditure it involves; politically, by its discretion, its low exteriorisation, its relative invisibility, the little resistance it arouses); secondly, to bring the effects of this social power to their maximum intensity and to extend them as far as possible, without either failure or interval; thirdly, to link this 'economic' growth of power with the output of the apparatuses (educational, military, industrial or medical) within which it is exercised; in short, to increase both the docility and utility of all the elements of the system. [75]

Such a conception of discipline is almost entirely free of authoritative and absolute subjects. It is structured and systemic yet, interactive and relational in its conception of determination. Far from the 'social democratic' strategies - based upon class essentialism or instrumentalism - there are no primary (primordial) subjects, capitalists or kings, in Foucault's interpretation. Had Adler-Karlsson, or even Crosland, grasped these essential points, especially the recognition that the capitalist mode of production was not merely the instrument of the capitalist or ruling class (in the same manner that the royal prerogative was the instrument of the monarch) but rather consisted of an articulated structure of relationships, then the strategy of 'functional socialism' advocated by the former, would have been revealed as chimerical. The fine distinction between a socialism of ends and ... a socialism of means would have been held up as quite meaningless. [76] Now, more appropriately, armed with the insights of Foucault, we are able to detect in the strategy of 'functional socialism' an accommodation of practices (that is social and political practices) within the terrain of the state action, political economy and society or, more accurately, within the terrain of 'governmentality'. [77] This accommodation consists primarily in the subordination of social and political practices to the demands of capitalist relations of production and economic management.

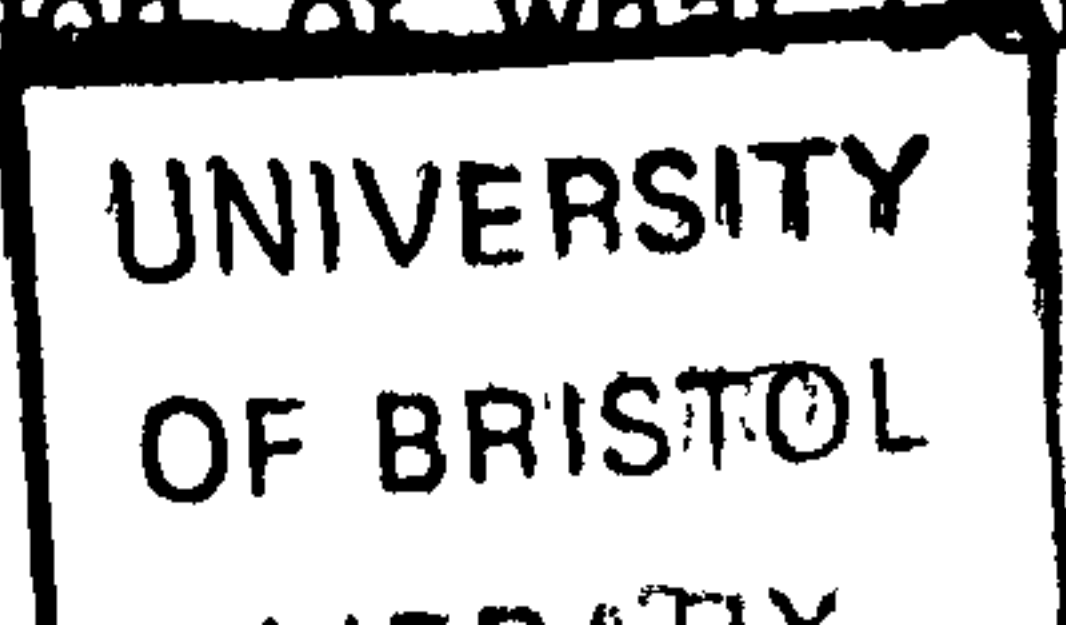
Only when social democracy's 'functional socialism' is thus understood can the full significance of Adler-Karlsson's strategy, as espoused below, be appreciated. Adler-Karlsson, writing what he hoped would come to serve as a key 'strategy document' for the Swedish Social Democratic Party (and apparently unaware of the social and political problems entailed by it), suggested.

Let us look upon our capitalists in the same way that we have looked upon our kings in Scandinavia. A hundred years ago a Scandinavian king carried a lot of power. Fifty years ago he still had considerable power. According to our constitutions the king still has equally as much formal power as a hundred years ago, but in reality we have undressed him of all his power functions so that today he is in fact powerless. We have done this without dangerous and disruptive internal fights. Let us in the same manner avoid the even more dangerous contests which are unavoidable if we enter the road of formal socialisation. Let us instead grip and divest our present capitalists of one after another of their ownership functions. Let us even give them a new dress, but one similar to that of the famous emperor in H.C. Anderson's tale. After a few decades they will remain, perhaps formally as kings but in reality as naked symbols of a passed and inferior stage of development. [78]

This is the vision of social democratic progression implicit within social democratic revisionism. Its mechanistic and instrumental view of power is well-evident. Yet this social democratic strategy is justified entirely in the name of socialisation. That is to say, the politics of 'the social', the structuring of social relations has proven indispensable to the modernisation and continued development of capitalist economies.

The politics of the social have given us 'welfare capitalism' and the 'welfare state' which, while purporting to have modified the social chaos of capitalist production, in fact serve only to assure the continued profitability of capitalist enterprise. The ideology of welfare capitalism tells us very little about real 'welfare', need or the social relations of the classes. It is, however, rather more effective in obscuring the nature of capitalism, and of the strategic significance of the state in capitalist economies.

In the following chapter the engagement and accommodation of the social to capitalist relations of production will be examined in the context of a historical and developmental (genealogical) sketch of what Deleuze has referred to as



"the rise of the social". [79] In particular, the central theme of this chapter will consist of an exploration of the efficacy of 'the social', as a disciplinary and (increasingly) regulatory zone, in relaying the divisions and relations of capitalism. 'The social', a construction of the inter-relationships between political economy and socialism (the political aspirations of the organised working class) which referred to the fundamental conditions of collective human existence, came to be deployed as the 'telos' of state governmental policy. Enshrined in governmental programmes, the referent of the state's administrative machinery, 'the social' assumed an all-encompassing character which translated as often as 'human nature' and 'lifestyle' as it did of welfare. It is no surprise that, the states which have made the most pioneering advances in welfare capitalism (notably Sweden) have also begun to develop the most exclusive and selectivist forms of lifestyle politics. Yet the very ubiquity of such connotations of the social allowed it (as an arena of relationships) to imply that both class, sex and racial divisions and disciplinary state/market practices were necessary (i.e. 'natural') hence social and acceptable phenomena. [80] In this way, 'the social' now refers principally to the range and scope of human aspirations and differences whilst positing capitalism as both limit and condition of possibility of each.

Boaventura de Sousa Santos relates these questions to the question of political legitimation, viz:

The state may repair its legitimacy not only through material expansion (by delivering goods and services) but also through the production of symbols and ideals that make a radically different social life appear either impossible or irrelevant. By appealing to transcendental values ... reforms ... will contribute to this ... strategy of legitimation ... The state under the late capitalism of the 1980's and 1990's will probably expand more through the production of symbols than through the production of goods and services. [81]

"That is to say," as Hall et al. put it, "the state plays a critical role in shaping social and political life in such a way as to favour the continued expansion of production and the reproduction of capitalist social relations." [82]

A HISTORY OF THE PRESENT

Informed by such general assumptions about the place and function of disciplinary regulation within the apparatuses of social welfare and by a recognition of the need for an examination of the disciplinary nature of social policy to complement marxist analyses of the welfare state, the research began to take definite shape. The work is, in some senses, 'incomplete' or 'unfinished' but it could hardly be otherwise. The thesis is an attempt to survey the organisation of discipline through the mechanisms of social security from the early 19th century to the present. As the mechanisms of social security change and as the social and political relationships attendant upon them also change, so new strategies and new constellations of discipline emerge. As these are constantly changing, it is fairly arbitrary to announce a beginning or call a halt at any particular point. The early 19th century was chosen as the 'origin' of the enquiry because it was at this period that two traditions of poor relief seem to come into contact - a connection they maintained for many years. 1982-83 was chosen as the point at which to close because, after 'Operation Major' (the mass arrest of claimants in Oxford) and ten years after the Fisher Report (1973) had announced a new agenda for social security claims control, it seemed clear that a new political strategy of disciplinary state social control was emerging.

The line drawn between the early 19th century and the present is not direct, neither is it always clear, unbroken or singular, but this is because the objective of the study was to trace the evolution, transformation and refinement of forms of discipline rather than to write a history of social security systems. This is an important point. Tracing the evolution of disciplinary and administrative forms necessitated rejecting a primarily chronological approach for an emphasis upon the key social and political conjunctures in which forms of discipline changed. Certain consequences follow from this, certain events, and certain developments of a more strictly historical significance are overlooked in favour of others which conform to the more immediately strategic conception of disciplinary development outlined earlier. Such an approach is, therefore, more compatible with Foucault's 'history of the present' than with traditional historiography. [83]

For example, in accordance with this approach, the Minority Report of the 1909 Poor Law Commissioners is given more attention than the Majority Report and, of the Minority Report, part I is overlooked in favour of part II because it is the latter part which deals most directly and strategically with the extension of disciplinary forms of social administration to society at large. Likewise, the greater part of the inter-war period is not considered in any depth on the grounds that this period witnessed the extension and implementation of forms of discipline laid down earlier rather more than it witnessed the emergence of wholly new disciplinary strategies.

Furthermore the thesis, as part of a much larger project, is incomplete in another sense. It is not possible to consider all the dimensions of power, authority or discipline, the sites for the application of discipline, and the modes for the exercise of discipline. Some may well prove important to a more 'complete' explanation of the questions raised here but it would, for quite obvious reasons, be impossible to encompass them all within the scope of a single thesis. The thesis presented here claims only that the more visible and direct disciplinary relations described in the following chapters have had a major impact upon the social relations of a whole class (and, by extension, the whole of 'society'), and continue to do so. As such, these disciplinary relations and regulated forms of social existence, are more important in the politics and history of the 'welfare state' than the humanism and benign intentions more frequently lauded by traditional social administration. As Stedman-Jones has noted,

Historians have generally discussed this question in a rather one-sided and teleological manner. Looking forward to the creation of the Welfare State, they have concentrated upon proposals for old-age pensions, free education, free school meals, subsidised housing and national insurance. They have virtually ignored parallel proposals to segregate the casual poor, to establish detention centres for 'loafers', to separate pauper children from 'degenerate' parents or to ship the 'residuum' overseas. Yet, for contemporaries, both sorts of proposals composed parts of a single debate. [84]

As suggested earlier, the work is primarily intended as a contribution to theoretical approaches to social policy and ways of explaining the structure and organisation of social policy's 'intervention' in human social relations, however,

In the chapters which follow, a wide range of theoretical and empirical questions are also encountered.

The following chapters each relate to the central themes outlined above, but each might also stand separately as a 'Study in the Criminalisation of Poverty'. The separate chapters, therefore, do not all necessarily relate directly and straight-forwardly to one another. Different kinds of issues and different levels of significance are raised in each. Nevertheless, certain ideas and certain themes recur throughout the chapters and there is occasionally some overlap.

The following chapter, chapter two, titled, 'The Foundations of the Social State', is both a critique of the traditional 'histories of the welfare state', and an attempt to take 'the social', as a domain of discourses and practices, seriously in its own right. The 'Social State' is not simply a proxy term for the 'welfare state' but an attempt to define a particular form of power and a new mode of legitimation which, during the 19th century, the major constitutional states began to assume. States in the nineteenth century invented for themselves a 'Social Question' by which they meant, ultimately, the problems of population and production. The 'Social Question' was seen as capable of resolution, not by a politics of repression, as earlier centuries had witnessed, but by forms of investment and intervention in the economy and the population. The 'Social State' was, therefore, a state which incorporated the excluded populations, re-valoured the poverty-stricken classes and made them useful as labour power, and turned a social threat – the dangerous and criminal classes – into a source of wealth – the labouring classes. The architects of the 'Social State' saw society as a domain capable of radical transformation and which could be rendered completely 'administrable'. The dimensions of the social state's logic of incorporation are several, but based around a certain social democratic compromise struck between the representatives of labour and capital. Other dimensions of the 'Social State' which are considered include: social legislation, the strategy of insurance, the family and philanthropy and the elements of disciplinary regulation.

Chapter three, 'The Discipline of Social Policy: Part I', consists of an attempt to describe the intersection of two modes of relief practice in the early 19th century. These two forms of intervention focussing respectively upon the 'dangerous', 'criminal' and 'pauperised' classes and upon the 'needy' individual or family defined two, almost opposing, strategies of relief practice. However, in the techniques deployed for the management of classes, by the one, and the detailed interrogation of individual motivations, by the other, a highly effective practice of disciplinary intervention came to be defined. Analyses of disciplinary institutions in the 19th century, show how a 'science' of classification developed which synthesised both individual and collective projects of discipline. Later in the century, the relations established between an individualistic philanthropy and the collective discipline of the Poor Law came to be absolutely crucial to the 'modernisation' and development of relief discourse and practice. However, this was only after the middle years of the century had been dominated by one of the most class-centred policy measures ever devised, the New Poor Law.

Chapter four, 'The Discipline of Social Policy: Part II', continues the themes of chapter three and turns directly to consider the New Poor Law itself. The discourse of the Poor Law Commissioners is examined as it was made manifest in their Report of 1834. The particular aspects of the 1834 Report to which attention is drawn include: the notions of political economy advanced by the Poor Law Commissioners (their Benthamism very apparent), their conception of the 'abuses' of poor relief and, finally, their notions of 'discipline', and of the targets and sites of discipline. Having considered the new 'discourse' of class-centred relief as advanced within the Poor Law Report, the chapter turns to consider Poor Law strategy during the mid-19th century and its particular forms of discipline.

Sections of the chapter consider the crisis of poor-relief after 1860 and the deterrent turn in Poor Law discourse and practice in the 1870's. The Poor Law strategy of 'practical dispauperisation' was made possible by the more effective classification of the poor and the new relationships, sketched out in 1869, between the Poor Law authorities and philanthropy, the latter organising a more interventionary and rehabilitative practice than that achieved by the Poor Law

Authorities. Philanthropy helped found a new 'para-science' of individual casework focussing upon character and motivations, a discourse which was to become a powerful arm of modern social administration and social work. The final section of the chapter considers the late 19th century preoccupation with the 'residuum' and the early forms taken by a strategy of preventative social policy.

The preventative themes are taken up in chapter five, 'The Discipline of Social Policy: Part III'. This chapter examines the organisation of a deterrent discipline against the unemployed through the Poor Law around the turn of the century, drawing, particularly, upon the Webb's critique of a deterrent Poor Law and a general 'destitution authority'. The Webb's concern to spell out an alternative foundation of preventative discipline based upon compulsory powers, specialised treatment and social rehabilitation is examined. Continuing the preventative theme, the chapter moves on to consider the Webb's advocacy of 'national efficiency' and preventative social policy, best represented in the Webb's The Prevention of Destitution, and the Minority Report of the Royal Commission on the Poor Laws. Volume II of the Minority Report, The Public Organisation of the Labour Market links the organisation of preventative social policy to the consolidation of a national labour market and the incorporation of all but a most depraved 'residuum' within a new social and political organisation.

The practices embodied within the Webb's new preventative social administration are then examined, especially their view (shared by many contemporaries) of the need for a punitive treatment of the 'residuum' which would provide the platform of deterrence upon which the whole social security administration could rest. Despite the fact that the 'preventative apparatuses' advocated by the Webbs were rather by-passed by the new arrangement of social insurance, the hard-core of disciplinary treatments continued to give shape to the scheme. Final sections of the chapter consider the principles and organisation of insurance, its battery of tests and regulations, and the way in which it contributed to a highly disciplinary arrangement of the social relations of the working class. A discussion of 'means tests', 'availability tests' and labour

discipline – particularly Beveridge's endorsement of the punitive core of social policy, paves the way for the examination, in the next chapter, of the Beveridge Report and the disciplinary organisation of post-war social security.

Chapter six, 'From Social Discipline to Claims Control', consists of an attempt to describe, for the 20 years from 1948 to 1968, the changes in disciplinary technique organised within the British social security system. The chapter begins by considering Beveridge's view of the 'indispensable core' of 'penal treatment' at the heart of any system of social security, and then moves on to consider the forms of disciplinary activity within the administrative functions of the National Assistance Board. Different mechanisms of control are revealed as new objects begin to appear at the centre of the administrative concerns of the National Assistance Board. Commensurate with Beveridge's concern about the importance of not undermining industrial discipline, and a central interest in the maintenance of the traditional patriarchal family, the policing of 'voluntary unemployment' and of 'liable relatives' emerge as the central themes of an organisation of social discipline. However, while these particular forms of coercion – direct interventions into working class social relations – provided ample testimony of the disciplinary legacy of British social security, the focus of the Board's concern was clearly changing. First 'abuse', and then 'fraud' came to assume a central significance.

By the 1960's a marginal practice of social policing had become a major principle of claims control. The pathological discourses, which had earlier informed social intervention in respect of the voluntarily unemployed, now simply offered a more detailed mechanism for the policing of entitlement. In the context of this new, and sometimes positive, emphasis, especially since 1966, on 'entitlement', a peculiar new 'folk-devil' put in an appearance – the 'genuine claimant'. A post-script to the chapter considers the ideological significance of this new character.

Chapter seven considers the Fisher Report (The Report of the Committee on Abuse of Social Security Benefits) appointed in 1971 by the then Secretary of State for Social Services, Sir Keith Joseph. The Committee was established as

part of the new Conservative Government's commitment to a tough approach to 'abuses' of the Welfare State in the context of their political and economic philosophy which saw welfare as a burden upon work-incentives and economic performance. The Fisher Report is a crucial document for analysis of social security policy, not least because it represented the first occasion upon which something which had long been talked about was given detailed consideration in its own right.

For all that, the Fisher Report was a great disappointment to many. Its cautious and 'balanced' tone was relatively un-newsworthy, especially in those sections of the press which had traditionally had the most to say about social security 'abuse'. At the same time, Fisher's Report was a disappointment to many 'liberals' who had hoped that the Committee would take the opportunity to state unequivocally that social security abuses were a minor and relatively insignificant problem within contemporary social policy. Instead, Fisher's cautious and qualified conclusion was that greater attention to claims control, more rigorous procedures of verification, and the appointment of more investigative personnel, would be an appropriate use of departmental resources. The Committee did not believe that the treatment of claimants would suffer or that greater delays would be experienced as a result of their recommendations. The Committee's Report provided the basis upon which a major expansion of claims control activities could take place. In the decade following the Committee's report, this is precisely what happened.

The Fisher Committee carried through the shift from social discipline to claims control within social security and, on the basis of this new strategy of control, laid down a new kind of agenda for the reorganisation of social security administration. This new agenda stressed selectivism in the targetting of claims control techniques, prevention and deterrence as the indispensable foundation for the organisation of social security and, above all, cost-effectiveness as the central motor of the new claims control systems. The chapter seeks to explain how and why the Committee came to these kinds of conclusions and what implications they had for the reorganisation and rearticulation of disciplinary objectives, practices and discourses, within social security administration.

The final chapter, 'From Claims Control to the Politics of Disentitlement', develops the Fisher Report's advocacy of 'prevention and deterrence' and examines the changing disciplinary practices emerging from it. In many respects, much of the discussion in this chapter is technical in nature as it surveys the new principles and mechanisms of claims control developing within social security administration. After Fisher had declared a new priority and emphasis for claims control work and had spelled out the lines of development that this might take, a series of developments within the social security departments (the Department of Health and Social Security and the Department of Employment) began to announce major changes in claims control practice.

The work of the DHSS and DE between 1973 and 1979 is considered in some detail, particular emphasis being given to two reports of the DHSS Co-ordinating Committee on Abuse (a Committee established following recommendations in the Fisher Report), the Fraud Investigator's Guide, the advocacy of a new 'atmosphere of fraud awareness', the new methods of selection, investigation and case-disposal, and the principle of 'cost-effectiveness' as it was applied to claims control during these years. The chapter closes with a consideration of the new procedures of claims control adopted under by the Conservative Government after 1979, particularly the announcement of the 'Campaign against Fraud and Abuse'. In 1980, the 'Specialist Claims Control' methods, introduced on a national basis in 1981, and the changes in the claims and payments systems, investigation and monitoring techniques and new interview procedures (the 'non-prosecution interview'). The major theme of the chapter is the increasing emphasis being placed upon claims control techniques by the D.H.S.S. and D.E. throughout the late 1970's. By 1980, claims control had become the sine qua non of an efficient, selective and generally deterrent social security system. Under the reformed supplementary benefits scheme, after 1980, claims control became quite simply the leading edge of a deterrent social security administration and a new politics of disentitlement.

The politics of disentitlement is far broader than social security strategy alone.

however. In a conclusion, these issues are brought together in an attempt to try to describe the dimensions of this new politics of disempowerment and the place of a deterrent social security system within it. The conclusion reviews the major themes developed throughout the thesis and attempts to link the criminalisation of poverty to the formation and dissolution of strategies for the management of social and political order.

Throughout the thesis, and the separate 'studies' in the criminalisation of poverty, the connecting theme is an attempt to highlight the 'dark side' of social policy, its disciplinary and occasionally punitive character, as a means of exploring the foundations and nature of social policy in greater depth. The criminalisation of poverty, and the different strategies by which this is achieved, is only a very specific part of the whole analysis of disciplinary social policy, but often it has served as the foundation upon which a more 'progressive' social policy has emerged and, at least twice, it has signalled the onset of major changes in social and political order.

Beginning in 1834, the Poor Law Amendment Act outlawed out-door relief to the able-bodied labourer and declared, or so many contemporaries thought, that, in England, poverty was a crime. However, in so doing, it established the basic condition (the wider law of labour) for the emergence of a truly modern 'working class'.

By 1982, the 150th anniversary of the 'Great Reform Act', 'Operation Major' (the mass arrest of homeless claimants in Oxford) seemed to declare the end of an era for the inclusionary social policy which had presided over the foundation of the welfare state. Even welfare capitalism and social democracy themselves seemed in disarray. And indeed, the mass arrest of the poor single-homeless is an appropriate epitaph for the state of 'welfare' in Britain in the 1980's and a sufficiently sobering note upon which to draw the thesis to a close.

This is a thesis which tries to explain why a disciplinary social policy is an indispensable corollary of a modern capitalist economy. More importantly,

however. It is an attempt to describe how social policy is disciplinary. Of these two objectives, it is the latter which is of greatest importance, precisely because the disciplinary practices and forms of social division set in motion by social policy determine the nature of the social and political order of society. To suggest this is not to overstate the significance of social policy but, rather, to acknowledge the ways in which social policy (taken in its entirety) has come to have so decisive an impact upon the lifestyles and social existence (the social relations) of the population.

Admittedly, social security is only one aspect of this fabric of order, regulation and discipline but, as the state's guarantee of minimum subsistence, as the foundation of all social policy and the key to the 'social question' – in short, as the basic condition of existence of the poorest and, beyond them, the whole working class, social security is a uniquely important aspect. The following chapters seek to show how this discipline and order have evolved, in particular instances, how it has been reproduced, and what the effects have been.

NOTES TO CHAPTER 1: INTRODUCTION.

1. K. Marx. Article on the Prussian Divorce Law, reproduced in M. Cain and A. Hunt, Marx and Engels on Law, Academic Press, 1979 page
2. S. and B. Webb, English Poor Law History, Longmans, 1927, page 5.
3. See for example, E P Thompson, 'Exterminism: The Highest Stage of Civilisation' in New Left Review, No. 121, 1980, R. Castel, La gestion des risques: de l'anti-psychiatrie à l'après-psychoanalyse, Editions Minuit, Paris, (1981), and J. Baudrillard, In the Shadow of the Silent Majorities, Semiotext(e) Foreign Agents Series, New York, 1983.
4. See for example, B. Fine, 'Struggles against Discipline', in Capital and Class (1979). In his more recent book Democracy and the Rule of Law (Pluto Press, 1984), Fine has returned to these arguments about Foucault's implicit functionalism.
5. See the discussion of the 'wider law of labour' in G. Kay and J. Mott, Political Order and the Law of Labour, Macmillan, 1982, chapter 2. For a review of this important but largely ignored work, see Critical Social Policy, No. 10, (Vol. 4, No. 1) 1984.
6. See for example, A. Deacon, 'The Scrounging Controversy', in Social and Economic Administration, Vol. 12, No. 2, 1978, A. Pemberton, 'Doing Something about Nothing: A Note on the Australian Government's Response to Dole Fraud', Australian and New Zealand Journal of Sociology, Vol. 16, No. 3, (1981), B. Tipping, 'Scrounging in Northern Ireland: The Beginnings of an Enquiry', The Economic and Social Review, Vol. 13, No. 3, (1982), J. Feagin, Subordinating the Poor, 1975, N. Komisar, Down and Out in the USA New Viewpoints Edition 1974, S. Liebfried, 'Public Assistance in the USA and the Federal Republic of Germany', Comparative Politics, October, 1978, G. V. Rimlinger, Welfare Policy and Industrialisation in Europe, America and Russia, Wiley, 1971, H. Heclö, Modern Social Politics in Britain and Sweden, Yale Univ. Press, 1974, A. Doron, 'Public

- Assistance in Israel'. Journal of Social Policy, Vol. 7, part 4, (1978).
- J. M. Becker, The Problem of Abuse In Unemployment Benefits, Columbia University Press, 1953, and J. Dixon, The Chinese Welfare System, Praeger Press, New York, (1981).
7. F. F. Piven and R. A. Cloward, Regulating the Poor, Tavistock, 1972, pages 3-4.
 8. T. Novak, Poverty and the State, Phd Thesis, 1977, page 261.
 9. N. Rose, 'Socialism and Social Policy', In Politics and Power, No 2, 1980, page 133.
 10. See for example, S. Hall, 'Rethinking the Base and Superstructure Metaphor', In Class, Hegemony and Party, Lawrence and Wishart, (1977), and Hall, 'The Political and the Economic in Marx' Theory of Classes', In Hunt (Ed.) Class and Class Structure, Lawrence and Wishart, (1977).
 11. As we shall see later, after Marx' death, Engels attempted to correct a number of what he believed to be 'economistic' distortions of Marxism. It is more than a little ironic that Engels, whose Anti-Duhring has often been seen as a major restatement of marxism as a science, should be the one to have to put the record straight in this way. In a letter to J. Bloch, Sept. 21st. (1890) In MESW (1968), he developed the point that economic reductionism was no more than a crude distortion of marxism at some length.
 12. B. Jessop, The Capitalist State, Martin Robertson, (1982) pages 203 and 253. Later on in our consideration of Foucault's notions of 'strategy' and 'discipline-power' we will be developing the second of Jessop's points in more detail.
 13. Engels, Letter to Bloch, Sept. 21st, 1890, In MESW, (1968) op. cit. pages 682-683.
 14. Marx, Preface to A Contribution to the Critique of Political Economy, (1859), cited in Williams, Marxism and Literature, page 75.
 15. See for example, P. Corrigan, H. Ramsay and D. Sayer, Socialist Construction and Marxist Theory, (1978) pages 2-6, and D. Sayer, Marx's Method, (1979). Corrigan et al. have written, "Production ... is both a material and a social process ... Means and relations of production can be equally salient in their productive consequences, and equally constitute productive forces. By this latter notion we mean, very simply, any force through which people enhance the productiveness of their labour, and, as with relations of production, we make no attempt to specify the nature of such forces concretely in

- advance of empirical enquiry." (Page 2.) A similar formulation is found in Sayer, (1979) page 80.
16. Marx, The German Ideology, cited in Hall, 'Base and Superstructure...', (1977) page 45, and Marx, Capital, Volume III, Progress Publishers, (1971) page 791.
 17. McLennan, Marxism and Methodologies of History, NLB, (1981) page 65, and, Callinicos, Is there a future for Marxism?, Macmillan, (1981). As Foucault has put it: "If we have any objection against Marxism, it lies in the fact that it could effectively be a science." Lecture Jan. 7th 1976. Cited in C. Gordon Ed. 'Michel Foucault: Power/Knowledge', Harvester, (1980) page 84. See also Jessop, (1982) cited earlier, whilst Baudrillard delivers the most biting critique of the relational deficiencies of marxism, see Baudrillard, The Mirror of Production, Telos Press, (1975) pages 117-119:
 "Another break imposes itself, one that would risk making marxism appear as a theory of a surpassed stage of commodity production, hence as an ideology... One challenges historical materialism in its form and it falls to the level of an ideology... since Marx there has been ... an extension of the sphere of productive forces, or better, of the sphere of political economy (in which consumption as the production of signs, needs, knowledge, sexuality, is directly integrated, or on the way toward integration, as productive forces). ... Perhaps political economy is inseparable from the theory of the determinant instance of material production, in which case the Marxist critique of political economy is not extendable to a generalised theory... Beyond what Marx partially foresaw ... a decisive change not only regarding the extension of the sphere of exchange, but also its repercussions at the level of social relations [has taken place]". (ibid. pages 117-119).
 18. N. Poulantzas, State, Power, Socialism, NLB/Verso (1978) page 43.
 19. E.P. Thompson, The Poverty of Theory, op. cit. (1978) page 254.
 20. See Foucault, History of Sexuality, pages 84-85.
 21. Foucault, 'Truth and Power', in Gordon op. cit. (1980) pages 120-121 and also pages 139-140.
 22. R. Brooke, Law, Justice and Social Policy 1979) op. cit. page 1.
 23. I. Gough, The Political Economy of the Welfare State, (1979), page 43.
 24. Gordon, op.cit. (1980) page 121.

25. *ibid.* pages 120-121.
26. Foucault, Discipline and Punish, page 222.
27. Gordon, (1980) page 121.
28. J. Minson, 'Strategies for Socialists? Foucault's Conception of Power', Economy and Society, Vol. 9, No. 1. The four central tenets that Minson identifies in classical political theory are:
 - (i) the existence of some distinct area of social life which is political;
 - (ii) the identification of 'the political zone' with the state;
 - (iii) a conception of the state as a homogenous entity;
 - (iv) assumes that the principle action of the state is effected through its administrative instruments, (police, civil service, treasury etc.).
 See Minson, (1980) especially pages 5-6.
29. *ibid.* page 6
30. Cutler et al., (1977) *op. cit.* See Minson, page 6.
31. Minson, (1980) *op. cit.* page 6
32. The 'popular moral economy versus authoritarianism' thesis is perhaps best reflected in the work of Thompson, 'The Moral Economy of the English Crowd in the 18th Century', Past and Present, No. 50, (1971) and F. Hearn, 'Domination, Legitimation and Resistance: The Incorporation of the 19th Century English Working Class', Greenwood Press, (1978). See also D. Hay, 'Property, Authority and the Criminal Law', in Hay, Linebaugh and Thompson, Albion's Fatal Tree, Allen Lane, (1975) and Thompson, 'Whigs and Hunters: The Origin of the Black Act', Allen Lane, (1975).
33. Perhaps this thesis is less familiar - particularly insofar as it entails a new concept of capitalist state power in the era of late capitalism. Nevertheless this thesis will be developed in the following chapter. Its core consists of the range of 'social' needs and lifestyle demands that constitute the centre of the politics of consumption. See Baudrillard, 'For a Critique of the Political Economy of the Sign', chapter on 'The Ideological Genesis of Needs', Telos Press, (1980) and K. Soper, 'On Human Need', *op. cit.*, (1981). Boaventura de Sousa Santos (quoted at the end of this chapter) has perhaps identified the key transformations that may well represent the direction of change. He has written: "the state under the late capitalism of the 1980s and 1990s will probably survive and expand more through the production of symbols than through the the production of goods and services." Santos (1982) *op. cit.* page 263.

34. The Utilitarian practices and political economy are perhaps best expressed in the plans and schemes of Bentham. Aside from the 'Panopticon' which has now passed into wide academic currency upon which references are plenty, there remains Bentham's lesser known plan for a 'National Charity Company', a project which admirably synthesised his principles of legislation, his principles of 'panoptic' surveillance and his support for political economy and the market. See C. Bahmueller, 'The National Charity Company: Jeremy Bentham's Silent Revolution', University of California Press, (1981). See also J. Lea, 'Discipline and Capitalist Development', and J. Annette, 'Bentham's Fear of Hobgoblins: Law Political Economy and Social Discipline', both in NDC/CSE. Ed. Capitalism and the Rule of Law, (1979).
35. Minson, op. cit. (1980) pages 18-19.
36. See for example, 'Discipline and Punish' page 59. Hay, (1975) op. cit., Thompson, 'Whigs and Hunters' (1975), Sellin, 'Les Debats concernant l'abolition de la peine capital: une retrospective', in Deviance et Societe, Vol. 5, No. 2, (1981), also D.D. Cooper, The Lesson of the Scaffold, Penguin, (1974).
37. 'Discipline and Punish', page 82. E.P. Thompson, (1971) op. cit., F. Hearn, op. cit., (1978) and J. Annette, (1979) op. cit. page 79. On the 'permissive' nature of life in the 18th Century prison, see R. Evans, 'The Fabrication of Virtue' (1982).
38. 'Discipline and Punish', page 82.
39. This arbitrary character of power was frequently criticised by contemporaries, for example the outbreaks of gaol fever in Assize Towns in the late 18th Century tended to turn the operation of the penalties of the criminal law into a lottery (as well as striking down numbers of dignitaries, judges and magistrates: Evans, (1982) op. cit. 'Gaol Fever') at precisely the time that contemporaries were urging that the criminal law become certain, precise and rigorous in its application. See Beccaria's work, 'Crimes and Punishments', abstracted in J. Heath, 'Eighteenth Century Penal Theory', Oxford University Press, (1963) and P. Pasquino, 'Criminology: The Birth of a special Savoir', in Ideology and Consciousness, No. 7, Autumn, (1980), also, P. O'Brien, 'The Promise of Punishment', Princeton University Press, (1982).
40. See Evans, (1982) op. cit., Markus, 'The Pattern of the Law', O'Brien, (1982) op. cit. pages 75-90, Thompson, 'Whigs and Hunters'

(1975), as well as the measures described in Thompson's 'The Making of the English Working Class' (1963) designed for the suppression of combination and radicalism from the 1790's to Peterloo. (Thompson: (1963).

41. 'Discipline and Punish', page 177. Foucault has already directly expressed his notion of 'classless' power in a discussion entitled 'The confession of the Flesh' (In Gordon (1980) op. cit. see page 203). Here Foucault remarked: "A dominant class isn't a mere abstraction, but neither is it a pre-given entity. For a class to become a dominant class, for it to ensure its domination and for that domination to reproduce itself is certainly the effect of a number of actual premeditated tactics operating within the grand strategies that ensure this domination. But between the strategy which fixes, reproduces, multiplies and accentuates existing relations of forces, and the class which thereby finds itself in a ruling position there is a reciprocal relation of production."

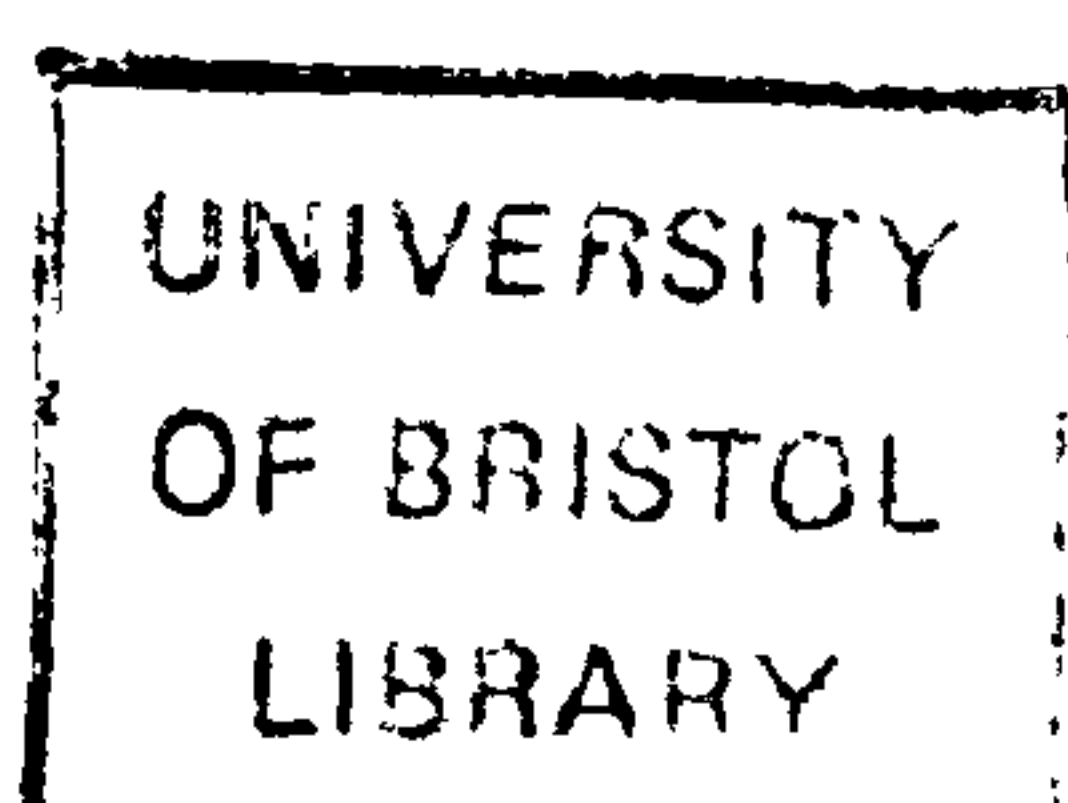
However, perhaps the most developed application of this theory of power lies in Bauman's recent work. Applying the concept of the dual modalities of power to the sphere of production and distribution (political economy), he wrote: "The two distinct ways in which the surplus product was managed and divided could only be serviced by two entirely different types of social power. The first was a power which intervened in the life of the producer only on occasion; its sole function was to assure the periodic transfer of the product of labour – not the administration of labour itself. This power could manifest its externality and operate, as its major resources, the twin terrors of physical punishment and spiritual damnation; but it had no concern with the administration of the producer's body which was left largely to the logic of nature and habit. The second type of power, however, had to descend to the level with which the former type had no need to concern itself. Its task was to organise the productive process itself. It remained external only in the sense that the productive effort itself came to be external to the 'natural' logic of the producer's life. Otherwise it penetrated actions and functions left before to the discretion of the producer. The latter had to be forced now to subject himself to a daily and hourly rhythm which bore no evident relation to the logical order of his own life. The new power could not, therefore limit its appearance to the annual tax-collection and ceremonial reminders of its unchallengeable potency and super-human sanctions.

It had to be a daily and an hourly power, permeating the producer's life and deploying constant surveillance and 'garrisons in conquered cities' (Freud's metaphor for the conscience sedimenting from repression) as its paramount weapon. Not the products of labour, but the producer himself, his body and thought, now had to become the objects of power."

Bauman then continues:

"If not for the old power, the surplus product would not be split to maintain an unproductive elite; if not for the new power, the surplus would not be produced at all." Z. Bauman, Memories of Class, Routledge, (1982) pages 10-11.

42. Minson, (1980) page 21. Minson links the pre-social and its transformation to what Foucault has termed the 'reversal in the political axis of individualisation' ('Discipline and Punish', pages 191-194.) As Minson has put it, "Foucauldian genealogies inevitably concern the birth of 'the social' correlative with that of 'the individual', its orderly milieu, and the province of those familial, assistantial, insurantial and carceral practices which recast the old public-private divisions as they 'police' the health and security of individuals." (Minson, page 21.)
43. 'Discipline and Punish', page 201.
44. Ibid. page 215.
45. See J. Lea, (1979) pages 77-82.
46. Bahmueller, (1981) and Annette, (1979) op. cit.
47. Both 'society' and 'economy' were to be rendered manageable by the combined operation of principles of political economy and a discipline based upon social division and reproduction. The last vestiges of political economy were to be removed in an effort of incorporation by which the working class were to trade their resistance to capitalism and discipline for a share of the rewards. See Z. Bauman, 'Memories of Class', (1982) pages 14-23, see also, Hearn, op. cit.
48. From the project of 'distribution around a norm' is derived the strategy of 'normalisation', see J. Donzelot, 'The Policing of Families', Hutchinson University Press, (1979).
49. See I. Hacking, 'The Emergence of Probability', (1979), Hacking, 'How Should we do the History of Statistics?', In Ideology and Consciousness, No. 8, Spring 1981, and P. Squires, 'The Policing of Knowledge: Criminal Categories and Criminal Statistics', In Working Papers in European Criminology, No. 2, (1981).
50. J. Annette, (1979) op. cit. page 66.



51. *ibid.* page 77.
52. The dichotomy suggested here corresponds to Santos's view of the three structural components of capitalist legality: 'rhetoric, bureaucracy and violence'. Santos, (1982) *op. cit.* pages 251-252.
53. Bentham quoted in Annette, *ibid.* page 68.
54. Annette, *ibid.* page 68.
55. Bahmueller, (1981) *op. cit.*
56. See S. Marglin, (1976) *op. cit.*, and Melossi and Pavarini, (1981) *op. cit.*
57. See G. Procacci, 'Social Economy and the Government of Poverty'. In Ideology and Consciousness, No. 4, Autumn, (1978).
58. R. Evans, (1982) *op. cit.*, see especially, pages 276-277.
59. See for example, J. Harris, 'Unemployment and Politics', Oxford University Press, (1972) pages 102-144. G. Stedman-Jones, 'Outcast London', Clarendon Press, Oxford (1971) pages 241-280. R. Mishra, 'A History of the Poor-Law Relieving Officer' PhD Thesis, and, of course, the work of a contemporary philanthropist, Baron de Gerando, 'The Visitor of the Poor', London, (1833).
60. Annette, *op. cit.* (1979) page 71 and Squires, 'Internal Security and Social Insecurity', In Working Papers in European Criminology, No. 3, (1982).
61. See Santos, (1982) page 261.
62. *ibid.* page 262. Quoted, note 79 above.
63. Squires, (1982) especially pages 116-127.
64. See Santos, (1982) *op. cit.*, Poulantzas (1978) especially section 4: 'The Decline of Democracy', whilst S. Hall, 'Drifting Into a Law and Order Society', Cobden Trust Lecture, (1980), and M. Kettle, 'The Drift to Law and Order', Marxism Today, October, (1980), have indicated the authoritarian drift in British 'Home Affairs' politics.
65. According to Minson, Marxists have (perhaps unwittingly) continued to retain the privileged role of the ruling class within their theories. This implies certain problems of political analysis and strategy. On the one hand it tends to invoke the notion of the 'coherent' function of ruling class and or state - a function or 'space' that can be 'captured' - ie. instrumental strategies. (See Foucault's response to the question: 'What role does the social class play?' in 'The Confession of the Flesh', Gordon, (1980) page 203.) on the other hand, it recalls that one-dimensional (juridico-discursive?) view of power - to the exclusion of all other notions of power-relations - thus running the risk of falling

to recognise at all the strategic coherence of power relations in play in the present.

Perhaps we can accuse Keynes and the Keynesians of just such a mis-perception. For example, Keynes advocated the euthenasia of the capitalist (or rather, "the euthenasia of the cumulative oppressive power of the capitalist": *The General Theory*, quoted in Grahl, 'The Liberal Revolutionary' in Marxism Today, June 1983.) whilst Adler-Karlsson (discussed below) suggests that the capitalists be undressed – divested of their powers. Thus, in common with marxists, the social democrats have tended to regard capitalism as the (simple) instrument of cognitive Subjects (this applies also to liberal political theory) and not, therefore, strategically. The consequence of this failure is an inability to see capitalism adequately as a system of production and reproduction by which social actors are located (as objects) in the interstices of a series of power relations over which they have little ultimate control. For a good summary of this position, see Bauman (1982) – who uses a conception very similar to the of Foucault – quoted earlier, note 107 above.

- 66. 'Discipline and Punish', pages 218-221.
- 67. See for example the limitations inherent in Milliband's notion of the reproduction of state power (essentially a question of elite and class recruitment): Milliband, 'The State in Capitalist Society', (1969). Some of these issues were picked up in the highly staged crossfire between Milliband and Poulantzas. See, 'The Problem of the Capitalist State', in R. Blackburn, Ideology in Social Science, Fontana, (1972).

To make the above remarks, however, is not (necessarily) to accuse Milliband of being a social democrat, but simply to indicate common weaknesses in analysis and perceptions of political strategy. In the sphere of law and justice, similar kinds of comments were raised by Foucault in a discussion reproduced in Gordon, (1980) 'On Popular Justice: A Discussion with Maoists', "Is not the setting up of a neutral institution standing between the people and its enemies, capable of establishing the dividing line between the true and the false, the guilty and the innocent, the just and the unjust, is this not a way of resisting popular justice? A way of disarming it in the struggle it is conducting in reality in favour of an arbitration in the realm of the ideal?" (page 2) Strategically, too, writers have criticised Pashukanis (the Soviet legal theorist) for his restricted conception of post-revolutionary law

(E. B. Pashukanis, 'The general Theory of Law and Marxism', in Blerne and Shalet Eds., Academic Press (1981). See R. Kinsey, 'Marxism and the Law: Preliminary Analyses', British Journal of Law and Society, Vol. 5, No. 2, (1978) and C. Arthur, 'Towards a Materialist Theory of Law', Critique No. 7, (1976).

68. In the previous discussion I hope to have demonstrated adequately the theoretical weaknesses of such a strategy and the restricted conception of social policy which accompanies it. Subsequent work, in this and the remaining chapters of the thesis, will attempt to demonstrate, more descriptively, the consequences of such strategies: on the one hand, the inadequate and typically disciplinary character of state social policy and, on the other, the increasing attachment of 'social' aspirations and lifestyles to the play of market forces. In so far as one political work helps give perspective to these developments - as it were - helps makes sense of subsequent developments while incorporating them in a relatively coherent project of social planning, it is, Crosland's, 'The Future of Socialism', to which some more detailed attention will be given later.
69. See, for example, Marx's own 'Critique of the Gotha Programme', in MESW (1968), where precisely such charges were raised against Lassalle's 'Programme of the German Workers' Party', (1875).
70. See Althusser, 'Ideology and Ideological State Apparatuses', op. cit. and also the criticisms that Thompson raises against such notions in 'The Poverty of Theory', pages 334-354.
71. See Minson, page 37: "Without an 'objective' foundation the basis for the coherence of socialist policies and practices could only be a kind of negotiated ideological common denominator, which would express the current aspirations of a multiplicity of political forces, such as party and trade union organisations, social movements, issue campaigns and significant sections of the electorate. Even if a satisfactory common socialist-progressive formulae could be found such political ideological constructions at most are a means of aligning political forces under a common banner, they do not address effectively allying socialist forces and the fields of practical activity in which they are engaged. An ideological common denominator is of necessity indifferent to the specific interests of not only individual practices but of particular configurations of practices. Strategic alliances, say, within the complex of legal, psychiatric and social work practices cannot be forged on the basis of common socialist ideological attitudes alone."

72. See note 8 (above) for a more extended approach to this question. Baudrillard, (1975) and (1980) op. cit., and for a rigorous critique of representation as a mode of domination in political economy (although applied particularly in relation to the question of bourgeois democracy and 'legality') see, I. Balbus, 'Commodity form and Legal form: An Essay on the Relative Autonomy of the Law', Law and Society Review, Vol. 11, No. 3, (1977).
73. D. Lecourt, 'Marxism and Epistemology', New Left Books, (1975) page 209, and also Hindess and Hirst, op. cit. (1977).
74. By the 'terrain' of 'governmentality' Foucault is referring to the series of processes by which politics, government and the activities of the state are reduced to a number of functions. For our modern times, he suggests, the major problem is not the state domination of society but rather, "the 'governmentalisation' of the state". Foucault has seen this governmentalisation process as having three elements:
- " (1) the ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific form of power, which has as its target population, as its principle form of knowledge political economy and as its technical means apparatuses of security.
- (2) The tendency which, over a long period and throughout the West, has never ceased to lead towards the pre-eminence of all others (sovereignty, discipline, etc.), of this type of power which may be termed government. Which resulted in the formation of, on the one hand, a whole series of specific state apparatuses pertaining to the government and, on the other, in the development of a whole complex of 'savoir'.
- (3) The process, or rather the result of the process through which the State of Justice of the Middle Ages, which became the administrative State during the 15th and 16th centuries, gradually comes to be 'governmentalised'." Foucault, 'Governmentality', in Ideology and Consciousness, No. 6, Autumn (1979), page 20.
- The sphere of governmentality identified by Foucault has much in common with the phase of post-keynesian state administration described by Kay and Mott. Indeed, one might say that their phase of 'Policy' represents an outcome of the patterns of state administration ably described by Foucault in relation to earlier centuries.
75. 'Discipline and Punish', page 218.
76. See Scase (1976) op. cit pages 306-308, and Scase 'Social

Democracy in Industrial Society'. (1977) pages 79-80.

77. That is, 'governmentality' as the terrain of practices spelled out above (note 145).
78. Adler-Karlsson op. cit.
79. G. Deleuze, 'The Rise of the Social', foreword to Donzelot (1979).
80. As I have suggested earlier Marx entertained a fairly ubiquitous concept of the 'social', speaking of social relations, social needs and of course social revolution – at times, as Baudrillard and Soper have suggested, bordering upon a kind of naturalism. Yet at the back of these many-faceted objects/sets of relations there remains a relatively coherent centre, one that Marx sought to grasp. As I have attempted to show, the 'relative autonomy' of the social is constituted through the interplay of a number of 'competing' strategies in the field of 'governmentality' and in particular historical conjunctures. This social terrain is never static, it is cross-cut by competing political programmes and is always being reshaped. Marx's biggest error was to assume a more permanent shape to the social (read 'natural') yet as the preceding discussions have indicated, it is this content of the social, its overall shape and direction, which is now being led in a particular direction, as it enters new relations of hegemony.
81. Santos, (1982) page 263.
82. S. Hall, C. Critchley, A. Jefferson, B. Roberts, Policing the Crisis, Macmillan, (1978), page 201.

However, in this comment as in that of Santos, referred to above, we must cease to think exclusively in terms of 'The State' and, like Foucault (and an increasing number of contemporary commentators) we must begin to think more specifically of 'institutions in the field of governmentality'. This is not to place limits upon the powers of the state but simply to situate it in the context of the relations by which its capacities are articulated.

83. Foucault raises the problem of the 'history of the present' in Discipline and Punish, the first major study in which he applied his 'genealogical' technique. See pages 30-32. See also, C. Gordon, 'Other Inquisitions', in Michel Foucault: Power Knowledge, (1980).
84. G. Stedman-Jones, Outcast London, Oxford University Press, (1971), pages 313-314.

THE EMERGENCE OF DISCIPLINE AND THE FOUNDATIONS OF THE SOCIAL STATE

Marx quite rightly recognised the exclusion of the nascent proletariat from the distribution of the social product, but he did not, or could not, wish to confront the reality of the Sozialstaat which was looming on the horizon; in one sense this fell outside the premonitions of marxism.

P. Pasquino, 'Introduction to Lorenz von Stein', Economy and Society, Vol. 10, No. 1, (1981) page 5.

It does not require a detailed process of interpretation to make clear how closely this prognosis from the year 1850 meets the reality of the modern Sozialstaat: the legitimation of the state not so much through its constitution as through the activity of administration in securing social objectives; the substantial determination of the Political by the Social; the promotion of welfare and adequate participation in the social product as the means for an effective securing of freedom; continual dissolution of superseded political structures and their adaptation to the requirements of the Social - all of these points decisively characterise the Sozialstaat as it has been established in the West, which surrounds us today.

E. W. Bockenforde, 'L. v. Stein als Theoretiker der Bewegung von Staat und Gesellschaft zum Sozialstaat' In Alteuropa und die moderne Gesellschaft (Festschrift für Otto Brunner), Göttingen, (1963).

'The substantive was economics ... the question was how to socialise it: the adjective was social. Social Science, Sismondi deals with as a sister that an errant and aggressive economics has forgotten. He says, 'Economics always falls short at some place and must be made good by charity'... Economic science does not supply the key to the social problem; it has been preoccupied with things rather than with men; it has sought only how to increase wealth ... It must add a piece to its raiment and become social. It is the art of social economy to make men happy, materially and morally.

C. S. Loch, Charity and Social Life, London, 1910.

INTRODUCTION: THE 'SOCIAL QUESTION'

The problem of this chapter concerns the emergence of 'the Social' as an arena of political intervention, an arena which came, very quickly, to be the proper terrain of state policy. The question which informs this chapter has already been formulated by Donzelot, and can be phrased as follows: How did we switch from a usage of 'the Social' that referred to the problem of poverty (the nineteenth-century 'social question') seen as the "problem of others" - the poor - to our current definition which refers to "general solidarity and the production of a lifestyle". [1] Moreover, why is this configuration of 'the social' so inherently disciplinary? These are undoubtedly questions that have arisen before but they are nevertheless central to an understanding of the disciplinary form of contemporary social policy.

'The Social' is properly understood as a field of political intervention. Its coherence rests upon its objectives and ideals. 'The Social' was an invention of the last century and it, itself, has become an objective of policy insofar as the prefix 'social' has come to imply that a given practice or state of affairs is necessary, desirable or natural. The ubiquity of the discourse of 'the Social' refers today to an equivalent range of objectives as did the discourse of 'Political Economy and Police' in an earlier period. Thus, for the present, the 'Social', by no means a spontaneous or neutral construction (for it owes its existence to the legal, economic and political transformations that wrought a 'society', in the modern sense of the word, from a heterogeneous series of communities and a 'population' from a hitherto existing aggregate of estates and individuals [2]), marks the focal point for the articulation of capitalist relations of production and conditions of security and happiness: that is to say, political economy and political order. [3]

Thus, the 'Social' is an amalgam, but it has quite specific effects. Its operation is relational: it integrates, combines, naturalises. A sketch of its genealogical antecedents indicates this much. As Deleuze has put it:

It is along the same line that the points of authoritarianism, the points of reform, the points of resistance and revolution come face to face around this new stake, "the social" ... It is as if the relationships between public and private, state and family, law and medicine and so forth had long been pegged to a standard – that is to a system of law that determined relations and parties, albeit with wide margins of flexibility and variation. But the social comes into being with a system of flotation in which norms replace the law and regulatory and corrective mechanisms replace the standard. [4]

Perhaps it is fair to say that the social is an abstraction, a form by which other social relations are masked. This may be so, but the 'Social' is far from being an empty abstraction to which any practical content may be welded. Formed within the triumvirate of capital, state and population and expressing the accommodation of each to the others, the social expressed an order. The 'Social Question', therefore, (in fact, as ought to be clear, this comprised an amalgam of conditions, but expressed in the singular as problems of the Social) represented a disruption. At one and the same time, the threat implicit in the social question constituted a challenge to the order of property (political economy), to political order (the state) and to the moral order (society).

It does not take a great deal of imagination to recognise that we have here discerned, in primitive form, the perpetual crisis of capitalist society: the 'social question' was but an expression of what is now referred to as a 'legitimation crisis'. [5] In sociological terms, pauperism represents a form of marginalisation. Since the birth of 'the Social', the role of this field of action has been none other than the formal reconciliation of that which the capitalist system so effectively disassembled [6] in order to secure that which political economy has long sought after, namely, the continued exploitation of the working classes in conditions of maximum allegiance and security. This strategy of government through 'the Social' has so far allowed the continued exploitation of labour, the realisation of surplus value, in ways and means which have tended to promote rather than endanger, political allegiance. In its varied forms and aspects: the dissipation of autonomous social groups and the task of amassing people into a unitary population upon which "a specific technology of administration was imposed", the Social effected a major transformation of the relationships of state and society.

The strategy in question was of the order of a fundamental 'social reform'. [7]

In essence, this strategy required that, "society transform itself from a space of confrontation into a field that was completely administrable". [8] Thus, within this early formulation of 'social politics' the ultimate objectives of 'the Social', as a field of political action and 'intervention', are readily apparent. Henceforth, the task of 'the Social' was to be that of integration, of incorporation, of "guiding the proletariat towards access to the material and cultural goods from which they have been excluded, extricating the proletariat from the ghetto which it so dangerously occupies". [9]

This foundation of a society, moreover, a society that, almost by definition, was in process of formation as a unit of administration, necessitated a form of order, of cohesion, adequate to the task of securing profitability, political order and allegiance. [10] The early forms of this order, disciplinary systems of administration or networks of rights and sanctions – what Adam Smith and others have referred to as 'a system of Police' [11] – derived from the practices of political economy and the law (mercantile production and natural law) but at this early stage, they retained a strongly naturalistic orientation. [12]

This naturalistic orientation of the first 'social' discourses is evident in the style and methods of the earliest social investigators but, in particular, in their interrogation of the presenting characteristics of the 'social body', a area of study which formed the basis of the demographic ideology that characteristics 'naturally' pertain to given social groupings. [13]

In essence, the study of the 'natural' characteristics of the social body was an economic calculation. As the Statistical Society of London put it in 1833: "The science of statistics differs from Political Economy . . . although it has the same end in view." [14] The accumulation of money and the amassing of populations can therefore be seen as two sides of an equivalent process. [15] The examination of the 'conditions' of populations was expressly (and

often (it was very explicit) an examination of productive capacities. Although such investigations may not have taken place in quite the same way as entrepreneurs might examine 'natural' resources for their productive potential, essentially similar prerogatives were entailed. Throughout this process of inquiry, prices came to be attached to the elements of the 'natural world' and to 'population': profitability and wealth were established as ultimate goals and political economy came to be recognised as the science of their inter-relationship.

The constitution of political economy depended upon the emergence of population as the new subject of all the various elements of wealth; the new science called political economy arises out of the registering of the new network of constant and multiple relations between population, territory and wealth; and this corresponds to the formation of a type of intervention characteristic of government, namely intervention in the field of economy and population. In other words, the transition from an art of government to a political science, from a regime dominated by structures of sovereignty to one ruled by techniques of government occurs in the 18th century around the theme of population and consequently centres upon the birth of political economy. [16]

Guided by the imperative of profitability and by the formal structures of Natural Law and Right, the science of political economy came to represent a new form of administrative practice, a new knowledge base from which to conduct the organisation of society, a new 'savoir' which Foucault has come to call 'bio-politics'. [17]

Accepting the significance of this new bio-political arrangement of social interventions, it is possible to understand how the sustained administrative practices involved in the production of a population of 'fabricated normal individuals', [18] also produced the many forms of pathology that have been, for two centuries, the objects of collective and individual regulation and normalisation. Early social 'science' identified the pathology of classes and races [19] against a background of concerns about national prosperity, efficient administration, and imperialism. Whilst, from the perspective of the present, we are able to witness precisely that transformation, elaborated by Marx, of man, or worker, into 'hand', a unit of production. A bio-politics of man was thus founded with political economy at its core and, in keeping with this foundation and its 'economic' systems of calculation, a strong

theme of conservation and efficiency echoes through capitalist political economy and its systems of administration, thus: "at the very heart of the problem of population a preoccupation comes to light with growing force, that of health." [20]

Yet, as suggested earlier, this preoccupation with health extends beyond the medicinal and clinical aspects of health and the specific discourses of moral and social biology, rather, it consists in the application of an administrative technique which treats society as a functioning, almost natural, organism. Consequently, it can be said that the 'Inherently problematic individual', the 'pathological individual' (as will shortly be established, the pauper) made his first appearance in the attempts at social, moral and biological reform, arranged around the detection of the varied forms of social pathology that political economy's revalorisation of the population (or the working-class, the poor) had inaugurated. The pathological individual was quite obviously the complete antithesis of that fictional and, "most precious of a sovereign's treasures," namely: normal, healthy, productive man, but he was, without doubt, the core of the perceived problem of population. [21]

In the face of such problems (or resistances) as represented by forms of perceived social pathology, the task of political economy and administration was simply stated. And it is here, for the first time, that a truly social administration emerges. Specifically, the population was to be rendered efficient and productive; useful and a source of wealth. The population had to be incorporated into the project of capitalist political economy as a calculable functioning component. Thus, as Court has remarked: "the first requisite of increased wealth is a society of the kind required to produce it." [22] Indeed, upon this basis, it is possible, as Kastner has shown, to characterise 19th. century "conservative social reform and policy" as having objectives which lay "not in the [political] integration of workers through structural change, but rather in their adaptation to existing conditions." [23]

However, in many respects, neither the Common Law and its principles of

'Natural Right'. -- nor a substantially privatised and frequently local administrative procedure were adequate to the task of social administration. On the one hand these 'traditional' forms of power and authority were insufficiently related or coherent -- they derived from a myriad of sources of authority, prestige and power which seldom lent themselves to a formalisation of practice and administration [24] -- and, on the other hand, the forms of authority themselves were insufficiently flexible, that is, they were neither social nor relational. Thus, in the absence of an effective social domain of action, the Common Law arrangement of statuses, rights and sanctions was fundamentally immobile and the boundary between public and private that it applied, was firmly fixed. The operation of this traditional system of power and authority consisted essentially in a strategy of subjection and domination, what was required, in contrast, was a form of social discipline that intrinsically related both ruler and ruled, dominator and dominated, by its very operation. Such a strategy of social discipline (which has been described in an earlier chapter) required, for its most effective exercise, to be rooted in the very conditions of existence of its subjects, the bearers of the discipline, so that, in reproducing their own conditions of existence, they contributed to the reproduction of the disciplinary regime itself. As Foucault has put it, "the perfection of power should render its actual exercise unnecessary ... [subjects] ... should be caught up in a power situation of which they themselves are the bearers." [25]

Such a cohesive form of discipline was in process of formation within the emerging practices of political economy and social intervention which are broadly subsumed under the head of 'social administration'. From the outset it is clear that this new form of social discipline was charged with a precise socio-political task, although Prins' formulation (below) still maintains a strongly naturalistic vision of society, its structures and organisation and its functioning components.

Seeking to accomplish the re-orientation of society onto an efficient and administrable plane, Prins clearly sketched the intended relation of social policy and political economy:

Is it admissable that society should be incapable of dealing with its waste products as industry does with its? We too can cut down the overheads of social administration, recycle society's residues and endeavour to keep the loss of strength to a minimum. Even an inferior organism can prove useful provided one succeeds in adapting it to an inferior function. [26]

The problem of the administration of populations within the confines of political economy was tackled, in practice, by disparate groups of administrators, philanthropists, politicians and 'scientists' - as well as bankers, industrialists and businessmen. These agents gave a kind of coherence to the strategy of political economy, the ultimate objective of which was the founding of a "science of administration". [27] Yet the system which evolved, the point at which social policy emerges, which laid the practical basis of this "science of administration" and effectively brought together the socio-political goals of industry, hierarchy and welfare, was to be :

an organisation of assistance, articulating public and private domains ... the pivot of this new guise of welfare activity would be the Visitor of the Poor, the true precursor of social work, the instrument at once of the capillary action of household relief, and of that study of character which was beginning to be considered essential for good social administration. [28]

In this manner, the era of a specifically social policy was inaugurated. The direct results of this extensive 'organisation of assistance' which, in accord with the wider law of labour, was later formulated as a system of social insurance, were the binding of the interests of the poor (the working class) to those of the populace as a whole and the formation of an extensive knowledge about poverty itself.

The building of reciprocal links between the poor and 'society', effectively between the working class and capitalist relations of production, and the creation of a virtual 'science' of poverty, have led to a substantial reduction in the social and political autonomy of the poor themselves. Perhaps worse still, their existence has been reduced to little more than a phenomenon of ulterior logics of production and accumulation and the techniques of government. It is precisely these developments that Rose (cited earlier) criticises. We have lost the ability, "to examine the specific contributions

which the apparatuses and agencies of social welfare have made to the field of social relations in the 20th century." [29]

The Social Question has undoubtedly been 'solved' (at least provisionally) but clearly at some considerable cost. Of course, the Social Question was itself no more than a fiction for the universalisation – in the name of society – of the capitalist state's problem of political order, that is: resistances, failures and contradictions in the strategy of creating a homogenous and obedient working class (source of constant labour power) out of a previously heterogenous social body. Unfortunately, the solution of this Social Question has impelled us into the dilemma of welfare capitalism and social democracy. The former provides the socio-economic basis for the 'authoritarian welfare state', the latter, while not strictly a hollow political formula, represents, more accurately, a form of political order which, in practice, denies the very standards and principles upon which it is built and which it continually espouses as the foundation of its legitimacy.

The reasons for this 'dilemma' are significant and require further elaboration. At the outset, however, it is plausible that the dilemma of social democracy rests upon the contradiction between the social ideal of democratic citizenship that capitalist states have evolved over the last 150 years [30] and the exploitative and disciplinary nature of capitalist relations of production and reproduction – the social relations upon which economic 'growth' and 'success' are thought to rest.

One of the first true theorists of the Social Question, Lorenz von Stein, correctly predicted, in 1850, that a solution to the problems of social and political order would be found, "not in 'pure' but in 'social democracy' ... [for] ... 'pure democracy' and social movement are united in 'social democracy'." [31] Yet von Stein also saw through the facade of social democracy [32] which was, he believed, founded upon no more than the concession of entitlements to the working classes based upon ideological conceptions of social 'needs'. In its place he suggested a markedly more 'modern' basis for a solution of the Social Question, namely, the granting

of adequate possibilities to the population. This solution to the Social Question led contemporaries to brand von Stein and his circle as the 'aristocratic marxists'. [33] This was a little unfair, although von Stein's was certainly a bourgeois solution to the Social Question. Nonetheless, in his early formulation of the principles of 'Positive Social Policy' and the 'property-owning democracy' his work was often rather more advanced than contemporaries were willing to admit. His thesis of the working classes' accession to social independence through the acquisition of material goods formed the basis of his "decisive rejection of all authoritarian welfare state solutions to the Social Question." [34] although his faith in political economy, and his vision of the correct articulation of the Social and the Political as the means towards a democratic social order, make his ideas appear somewhat utopian and transparent. Ultimately, his vision of the democratic social order seems as fraught with contradictions as the social democracy he criticised. [35]

A NEW SOCIAL WORLD

In the earlier epochs of history, we find almost everywhere a complicated arrangement of society into various orders, a manifold gradation of social rank ... The modern bourgeois society which has sprouted from the ruins of feudal society has not done away with class antagonisms, it has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones ... [a] necessary consequence of this was political centralisation. Independent, or but loosely connected provinces with separate interests, laws, governments and systems of taxation became lumped together into one nation, with one government, one code of laws ... The feudal relations of property became no longer compatible with the already developed productive forces; they became so many fetters. They had to be burst asunder; they were burst asunder.

Into their place stepped free competition, accompanied by a social and political constitution adapted to it, and by the economical and political sway of the bourgeois class. [36]

Where do we begin to appreciate the origins and contradictions of this, "social and political constitution," which has led the way to our contemporary political culture and foundation of order: social democracy? From whence is it derived, and what transformations, real or imagined, have prompted its relative demise? In pursuing these questions we must be particularly discerning, they are not the prelude to a mass-psychology, the 'return of

Victorian Values', rather, our agents of transformation are much more profound and inhuman than a shift in attitudes might suggest. [37]

It is useful to follow Donzelot in this enquiry, for, amongst recent writers, Donzelot has done perhaps the most to explore the disciplinary constitution of 'the Social', its evolution through forms of state social policy, in the formation of the present.

Following Foucault's work in 'The Order of Things', Donzelot points to the mid-19th century as the moment of co-existence of the grand political theories. Donzelot identifies three: Classical Political Economy, Social Economy and Marxism. These three grand strategies, says Donzelot, form the strategic configuration which has founded our modernity. In the starkest form, a number of political trajectories presented themselves: Political Economy, Social Reform and Revolution. From the perspective of the present it may appear that these three theory programmes assume and retain a misleading degree of clarity and coherence. Yet as they generated specific discourses and specific technologies (policies, techniques and institutions), and as governmental apparatuses derived from them (or reacted to them), their contradictory operations and effects are unlikely to have permitted such neat tripartition. [38] Nonetheless, there is little doubt about the significance of the social and political changes occurring at this time. [39] For instance, von Stein, writing, in 1850, of the changes he had recently witnessed, was in no doubt about their importance.

The whole western world was now divid[ing] into two camps; an altogether new phase of history was about to begin ... subsequently the history and order of Europe became dependent upon the social order ... The development of European history had finally discovered that element which established the community of all people - the social condition ... A new world had emerged. It was the beginning of the victory of social over political ideas, the beginning of the problem with which we are confronted today. [40]

In this emergence of a field of 'social' questions, a number of focal points can be identified. As Donzelot has suggested in the 1979 'Preface' to the English edition of 'The Policing of Families', the central feature about which political strategies were arranged (and, perhaps, out of which they were

generated) and which each in its own way addressed, was the problem of poverty.

As has already been indicated, the problem of poverty represented the problem of ultimate security for the emerging capitalist industrial system. This was so in two senses, for poverty was both the condition which compelled labourers to accept the conditions of industrial production and yet, also, the condition which challenged the political order of capitalist society and therefore demanded regulation. This regulation was supplied through the state, with the law as its instrument. To this organisation of pressure, Kay and Mott have given the name 'the wider law of labour'. Its strategic role was outlined by Bentham:

We have now arrived at the principal object of the law: the care of security . . . Among the objects of the law security is the only one which embraces the future: subsistence, abundance, equality may be regarded for a moment only; but security implies extension in point of the time with respect to all the benefits to which it is applied. Security is therefore the principal object. [41]

As its goal, this principle of security had the development of sound habits of labour and industry. Economy was to be its principal incentive: "the pressure of the present and the fear of the future." [42] But, in Bentham's scheme, these were merely the elements of a blueprint for a much larger project of social order and reform to be achieved through political economy, the 'science' of morals and legislation. [43] Such are the schemes of reformers. For the present it should be clear that poverty served as the basis of this 'order'.

In the first half of the 19th century the political force that transformed the productive capacity of society into a commodity (labour power) rested upon poverty as shortage. Even in the second half of the century, universal want could still be called upon to order labour, and the wider law of labour was formulated in terms of pauperism. Poverty as shortage was not invented in the 19th century but put onto a new footing; and mobilised into a new productive force unparalleled in history – the modern proletariat. [44]

To suggest that poverty served as the core of political order in the 19th century may seem strange to English readers who have become captivated by the spectre of pauperism rather than that of poverty. It is certainly true

that the problem of pauperism looms large in the popular historical consciousness. [45] However, this state of affairs is perhaps symptomatic only of the peculiar salience of the legacy of social economy and the grasp it has maintained over our governmental practices. More than anything else, pauperism expressed a political relation, whereas poverty had a more directly economic significance.

Poverty was certainly no new phenomenon and statutory means for its alleviation reached back well over 300 years. What was new, however, was the political desire to exploit this poverty – as pauperism – as the condition for securing the transition of the poor into labour power. The nature of pauperism as the political representation of poverty is gleaned, partly from the debates of contemporaries (and subsequently, historians), on issues such as settlement and removal and pauper electoral disqualification and, partly from the distinctions made by contemporary political economists and social theorists. Concerning the former, pauperism – like its modern equivalent 'marginalisation' – implied a relationship of political exclusion and, indeed, as Briggs has remarked:

A central feature of the New Poor Law of 1834 was that the condition of the pauper was to be made less eligible than the lowest independent labourer. To achieve this paupers were to be confined to the workhouse and to lose their civic rights as well as their franchise. [46]

Concerning the latter point, the imposition of distinctions, it is abundantly clear that the distinction between poverty and pauperism was very significant to contemporaries. Filtered through the gaze of social economy and the new political relationships attendant upon the rising capitalist mode of production, then poverty, a vital factor in the scheme of political economy, was transformed into pauperism, a facet of the human condition and a sign of dependency and political exclusion.

Von Stein, in a passage that, despite its analytic style, perhaps justifies Mengelberg's depiction of him as a materialist, attempts to distinguish pauperism and poverty on the basis of the social conditions of industrial society. Von Stein saw the poverty of industrial society as resting upon

precisely the same foundations as did its political order. In articulating the distinction between poverty and pauperism he was seeking to provide a critique of that order. In this, Von Stein's work provides a significant and interesting contrast to that of Giovanna Procacci (discussed below) who has explored the social and moral distinctions employed by 19th century writers and administrators in their characterisations of the pauper as a principal threat to society, its order and values.

It is worth quoting Von Stein at length:

There have always been poor people in every society, and usually they have been supported by their fellow men ... But industrial society has its specific type of poverty, which results from the same principles on which its order rests. We call the poverty of industrial society pauperism, which is industrial or mass poverty. It is an inevitable consequence of industrial society; it is necessarily part and parcel of the conditions of the labouring class; while dependence and lack of capital arouse the opposition of the labourer against the capital owner this form of poverty definitely makes the labourer and capital owner into enemies.

And, he continued:

It is at this point that the concept of pauperism derives its full meaning. It is not only the poverty of part of the labouring class, not only impoverishment which hits large sections of the population through industrial changes, but it is the poverty reproduced by industrial conditions and transmitted from generation to generation within the family which characterises industrial pauperism.

The great differences between mere poverty and pauperism can be clearly seen. Lack of work and income result in poverty, but pauperism is brought about by work and wages in industrial society. Poverty can be coped with through charity; in order to fight pauperism the whole industrial working- and wage system has to be changed. Poverty has raised the question of which institutions should collect the funds to support the poor from those who are better off, pauperism cannot be understood if it is not analyzed in the context of the social pattern. Any concern about it leads directly to research concerning the social order and its contradictions; it leads to the conclusion that only through far reaching changes in society can pauperism be eliminated. [47]

Thus, for Von Stein, pauperism was a socio-political construction, the counterpoint to the order of industrial society. This observation, made essentially from a moral and political standpoint, provided Von Stein with the basis for his critique of industrial society.

From Procacci's selection of the works of contemporaries, however, a different picture emerges. Broadly, she uses original source material to indicate that, although the political economists and administrators of the period had accepted the existence of poverty – in fact, they even welcomed it as the lever to secure labour from the population – for them, pauperism was of a different order altogether, for pauperism was none other than, "poverty raised to the level of social danger." Indeed, "the definition of pauperism does not work essentially through economic categories." [48] In much of the 19th century economic discourse, poverty and inequality themselves are never the object of concern, they are completely comprehensible as a natural feature of society, for:

Poverty derives from inequality of conditions ... It is humanly impossible to destroy inequality. There will always therefore be rich and poor. But in a well governed state, poverty must not degenerate into indigence ... It is in the interests of the rich as much as of the poor that this should be so. [49]

Thus, in sharp contrast to the natural form; poverty, pauperism appears as dangerous, anti-natural and, above all, anti-social. A host of social and moral meanings came to be attached to the symbol of pauperism while, for political economy, pauperism figures as both failure and resistance. At the heart of the phenomenon of pauperism lies precisely that distinction between 'deserving and undeserving' that administrators sought to enforce between groups of the poor. The deserving or dependant poor person was the legitimate object of relief: capable of rehabilitation and re-incorporation into the labour force – or at least moral society. The independant, improvident, ignorant, rebellious, mobile and promiscuous pauper, on the other hand, (individually the vagrant, criminal or vagabond; collectively the residuum, criminal or dangerous class) met only with a politics of repression. [50]

In such distinctions we have a profound glimpse of the core of social divisions at the heart of the capitalist state's organisation of its social policy. A careful elaboration of these themes is crucial if we are ever to understand the role of inequality and poverty in capitalist society, the significance of the failure of the state to ever overcome the substantial problems of poverty and inequality and, finally and more parochially, if we are ever to understand the

apparent contradictions in the statement: "When pauperism has been successfully overcome, only the poor will remain." [51]

There are two aspects of this discourse on poverty/pauperism which require elaboration: Both aspects refer to the very centrality of the fact of poverty in the arrangements of the 19th century state and the bases of political order therein. In fact, by extension, it is fair to say that these elements of the discourse on poverty are precisely the bases upon which the political order of the 19th century state rested and, at the same time, the principles by which pauperism was rendered both marginal and a source of danger.

Firstly, there is the question of creating or maintaining employment. Employment is relevant in two senses. On the one hand, there is the moral, normative, question of work and, on the other, the political-economic question of labour. Employment could be secured through free enterprise, the organisation of production by the state, or through work projects sponsored by charitable, religious or philanthropic bodies.

For centuries work, or the work ethic, had provided the religious and moral support to authoritarian condemnations of poverty and idleness but only in the 19th century did it come to figure as the central component of an economic and productive system of discipline. Work, or the work incentive, persists as both material and ideological fulcrum of policies geared to the management of inequality, social and political stability and productivity. This has been so from the punitive labour compounds of the 18th century, through the national plans of Bentham, the work-house test and crank-wheel, to the socialisation of employment of the present day and even the 'right to work' campaigns. [52] However, this apparent uniformity of the object 'work' belies the series of significant transformations in the role and function of work in the modern state and economy. [53] It was, as Donzelot suggests, only in the 19th century that work became the focal point for a political strategy, that posited work (as labour power) as a solution to the problems of profitability and political order, [54] and work (as employment) as a solution to the problem of pauperism – although not, as we have seen,

to the problem of poverty itself.

Procacci concludes her discussion of the distinction between pauperism and poverty with the recognition that a new organisation of political power was being formulated in its place:

Poverty politically defined, constitutes for the first half of the 19th century, the surface of emergence of a social problem; but between this first appearance and the moment when it becomes a field of real and systematic intervention (the social laws at the end of the century) and political economy is redefined in conjunction with the social question ... a whole series of divisions are operated. Pauperism is decomposed into new constellations; and it will no longer be around the wealth/poverty opposition that the conceptual instruments of social economy will find their concrete actualisation: employment and unemployment will henceforth be the new analytic pairing. [55]

The second aspect of poverty that we can identify concerns the question of management and hierarchy: the power of 'the bosses', an issue which is structured by the strangely complementary tensions of contractuality and compulsion. [56] The means by which surplus is produced dictate not only the basis upon which distribution and consumption of the product is organised (for this was as true under feudalism as under industrial capitalism) but also, in a very fundamental way, the mode of production and the conditions of labour form the basis for the class relations of authority and hierarchy. This is especially true in the capitalist mode of production where the means of production are no longer in the hands of the direct producers and it is precisely the owner of these means of production who enables production to take place at all. The labour force, therefore, has its autonomy substantially compromised to the extent that, its conditions of existence being one of marginality, exclusion and poverty unless employed, it must sacrifice its independence in order to survive. [57] The capitalist relations of production, therefore, form the basis for the political order of society for, in conjunction with the state, they establish the relative positions of bourgeois and proletarian classes, in so doing securing the conditions for the exploitation of the latter by the former. [58]

Thus virtually everyone is encouraged, even forced, to desire work. It can become a right, a duty, a privilege or even a punishment; it is central to

social life itself. [59] The contract of employment does not recognise this many-faceted character of work and it obscures the organisation of political pressure by which it is brought into being. [60] This character of work has been clearly expressed by Marx in the following passage.

The silent compulsion of economic relations sets the seal on the domination of the capitalist over the worker. Direct extra economic force is still of course used, but only in exceptional cases. In the ordinary run of things the worker can be left to the 'natural laws of production', i.e. it is possible to rely on his dependance on capital which springs from the conditions of production themselves and is guaranteed in perpetuity by them. [61]

Of course, another of Marx' familiar statements would have been equally appropriate here. The quotation in question is Marx' contrast of the apparently 'free' domain of circulation and consumption (the domain of subsistence) and the coercive and disciplinary domain of production.

The sphere of circulation, or commodity exchange, within whose boundaries the sale and purchase of labour power goes on, is, in fact, a very Eden of the innate rights of man. It is the exclusive realm of Freedom, Equality, Property and Bentham ... when we leave this sphere of simple circulation ... a certain change takes place, or so it appears in the physiognomy of our dramatic personae. He was previously the money owner now strides out in front as a capitalist; the possessor of labour power follows as his worker. The one smiles self-importantly as if intent on business; the other is timid and holds back, like someone who has brought his own hide to market and has nothing to expect but - a tanning. [62]

However, as we have already seen, one of the more far-reaching effects of the emergence of 'the social sector' under the sponsorship of the capitalist state and the translation of disciplinary techniques to society at large, is the possibility that one may now extend (or even perhaps invert?) the relationship identified by Marx. Thus our alternative 'modern' contrast would specify the freedoms, motivations, social mobility and aspirational and lifestyle possibilities in the 'humanised work environment' of the late 20th century, (... a very Eden of the modern rights of employees, there reign Freedom, Equal Opportunity, Pro-Rata Salary Increases and perks) as opposed to the impoverishment, exclusion, marginality, oppression and surveillance of the inner-cities and working-class housing estates, (... there reign poverty, homelessness, unclaimed benefits and fraud investigators).

By virtue of the state's need to reinforce the conditions necessary for ensuring the availability of labour power for exploitation (that is, the establishment of the wider law of labour) then the sphere of circulation – of consumption and subsistence – cannot remain free and autonomous. Indeed, this is so in all spheres of distribution and consumption, but it is especially true in relation to subsistence outside the labour market – social security. The coercive conditions of the sphere of production have to be translated to these 'other' spheres. This is achieved through the coercion frequently implicit in the social relations characteristic of capitalist society, the hierarchy implicit in the social division of welfare (well-being) and the disciplinary organisation and surveillance of the systems of poor relief, national insurance or social security. Marxism's emphasis upon the sphere of production – characterised in the classic formulation cited above – has meant that marxism has not, until recently, adequately dealt with the question of social relations and state policy. It is important to redress this imbalance, not only so as to come to terms with the expansion of the terrain of 'social politics' in recent years, but also in order to appreciate more fully the working class experience of a disciplinary organisation of social policy. Moreover, as has been suggested earlier, one does not have to lose the determining significance of the relations of production in doing so although, of necessity, accounts of power and hierarchy in capitalist society become increasingly complex. [63]

Such issues, central to the management of social and class divisions, help explain the persistence of techniques for the maintenance and reproduction of hierarchy in social relations and the creation and maintenance of social differentials. For instance, the economy of perks, the black economy, the tax-avoidance industry, the private and industrial health, welfare and pension schemes, and the mechanisms of bargaining by which salaries are indexed or otherwise 'protected', all constitute additional supports to the maintenance of the hierarchical labour market, necessitating still further a commitment to work, and enhancing the ideology of work itself. [64] Indeed it is clear from a number of sources that the corporativisation of working class negotiating structures – implicitly the incorporation of the

representatives of collective labour within the state – has exacerbated the causes of division within, and intensified the disciplinary content of, capitalist social relations. This is not so in the obvious sense that 'ways of living' become blatantly more oppressive and unpleasant (although for many people this has certainly happened) but in the rather more diffuse way in which social relations (ways of living) have come to be accommodated, ever more tightly around capitalist economic priorities: the objectives of capitalist political economy. It is possible to express this schematically as a reflection of the narrowing of the gap between what Kay and Mott have referred to as the Wide and Narrow 'Laws of Labour'. Ultimately, the disciplinary and divisive form of capitalist social relations expressed in the commodification of leisure, lifestyles and social and political aspirations, represents nothing other than this compression of the 'wider' and 'narrower' 'laws of labour'.

It is clear that poverty and the state remain the keys to the foundation of capitalist order, political economy and social administration being the means by which these elements are effectively combined in social production, in the pursuit of profitability and in social and economic 'growth'.

Having taken poverty as the focal point about which competing political strategies arranged themselves in the 19th century, we are left to consider which of these strategies, with its appropriate panoply of technologies and interventions, is primarily responsible for our social present. Donzelot, for one, has expressed dissatisfaction with the conclusion that history is no more than the advance and retreat of two opposing camps, but this should not be construed as incompatible with Marx' own view of history as it is paraphrased at the beginning of 'The Communist Manifesto'. [65]

More than anything else, Donzelot is struck by the lowering of the credibility of each of the 'classical' political strategies, (despite their persistence as discourses, albeit with variations) rather, what he feels has been most significant is, "the predominance of the centre and of positions favouring social cohesion against that of extremes." [66]

There are three broad routes by which we may approach this 'centre', or 'locus of cohesion', which has emerged as predominant over and above competing political discourses. These three routes consist of an examination of: (1) the political discourse of social democracy, (2) the discourse of a fundamental social institution: the family and, (3) the discourse of the state as represented in social legislation.

SOCIAL DEMOCRACY AND THE 'SCRAMBLE' FOR THE SOCIAL

It should be clear that the political 'centre' so ambiguously referred to above is none other than social democracy. Yet so far the foundations of this political formula have only been referred to indirectly.

Clearly, however, a complete account of the rise of the modern social state would be incomplete if it did not encompass the history and political discourse of social democracy. For the present only a brief sketch of the origins of this social democracy can be attempted - on the basis of a limited number of texts surrounding the problematic of social democracy - it would be quite another endeavour to tell the whole story here. In recounting this story there is a profound sense in which one feels as if one is confronting old orthodoxies - namely, the idea that social politics (the politics of the social) are a direct off-shoot, or corruption, of marxist politics - yet this is problematic precisely because the whole story must begin with what Lenin has called "Pre-marxist socialism". [67] This loose affiliation of organisations and political groups would include such as the Levellers and Diggers in England [68], Fourier and the St Simonians in France, whilst comprising such political works as Thomas Hodgkin's 'Labour Defended against the Claims of Capital' - which must count as one of the earlier articulations of a specifically social interest of the working class (although, even here, as Bauman has suggested, glimpses of an accommodation of social relations to capital - in the manner of social democracy - are evident). [69]

The process of accommodation of social relations to the relations of capitalist production is even more obviously apparent in the philosophy and politics of

Robert Owen, to whom Marx and Engels tended to refer as a 'Critical Utopian Socialist'. [70] Owen's book 'A New View of Society' introduced a clearly social democratic vision of order, harmony and the synthesis of class interests and, although the comparison is crude, we might suggest that his proposals were something of a cross between Von Stein and Schaffle's conception of a 'Positive Social Policy' and the recent Swedish plans for industrial democracy and co-determination.

An analysis of the debate on the political discourse of social democracy must then proceed via the formulation of social democracy in Marx' time. An excellent starting point is provided by the drafting of the 'Programme of the German Workers' Party', or 'Gotha Programme', written principally by Lassalle, and which Marx subjected to a fairly detailed critique in 1875. [71]

As in Engels' own 'Contribution to the Critique of the Social Democratic Draft Programme of 1891', [72] the basis of Marx' critique rested upon a refutation of the simplistic economic analysis by which Lassalle had posited, "labour as the source of all wealth," from which was derived a crude, class-essentialist model of politics and social transformation and, ultimately, the illusion of the transformation of capitalism through 'the Social Question' and of the transformation of the state by the introduction of liberal democratic freedoms and the creation of a commonality of political interests. It was precisely this commonality of interests that went by the name of 'the People' in Kautsky's 'Erfurt Programme' (the 1891 'Social Democratic Draft Programme') that Engels objected to: "The people in general," he asked, "who is that." [73]

German Social Democracy, in the form of Eduard Bernstein, continues to provide the next link in the saga of the ascendent social democratic vision of an integrative politics. Bernstein's name has, in many respects, become synonymous with 'revisionism', so it is worth summarising briefly how he reformulated Marxism's political and theoretical discourses. In so doing, clearing the way for the entry of political parties whose routes to power would

be through political programmes emphasising aspects of 'social politics' and a socialisation of capital. At the same time, however, revisionism contained within it the seeds of the fundamental political dilemma which rests at the heart of social democracy. [74]

According to Kolakowski,

Bernstein's critique ... attempted to combine socialism with liberalism and looked to social legislation as a means of reform instead of a single qualitative jump from capitalism to socialism. [75]

However, in common with the earlier social democratic programmes attacked by Marx and Engels, Bernstein's economic theory was somewhat crude and simplistic. It identified the rate of surplus value with the rate of exploitation as if to give the impression that the former was no more than, "an index of social injustice" and the working class, by implication, the most potentially revolutionary, simply because they were the most suffering. [76]

In this way Bernstein's revisionism subverted the critical power of Marx' account of class relations in capitalist society. [77] He projected the state's ability to 'manage' capitalism with increasing efficiency, this was to be achieved by substituting democracy for socialism as a political goal, in accordance with the social democratic task of socializing political institutions and property. [78] As Bernstein is often reported to have put it, "the goal is nothing and the movement everything." [79]

The ambiguity of Bernstein's revisionism, the dilemma of social democracy, is expressed by Kolakowski in the following concluding remark.

Thus was created the ideological foundations of a new social democracy, the further development of which had very little to do with the history of marxist doctrine ... The new doctrine was a compromise between liberalism and marxian socialism, or a socialist variant of liberalism. It was applied to situations other than those envisaged by Classical Marxism, and appealed to different psychological motivations. [80]

Both the social democratic (or revisionist) invocation of 'social politics' and the state's social legislation, seen as the elements of a route towards the

reconciliation of the political contradictions of capitalist society, attracted criticism from marxists and conservatives alike. On the one hand, Lenin delivered a fierce polemic and critique at Bernstein and the social democratic revisionists in his 1909 pamphlet, 'Marxism and Revisionism', which attacked the philosophy, political economy and politics of revisionism. (Lenin particularly resented the revisionists' stress upon democratic alliances in social reform with the reform-minded bourgeoisie.) [81]

On the other hand, social democracy attracted criticisms from other directions. Schäffle, often grouped with other Austrian theorists, as a conservative or 'aristocratic' marxist who advocated a constitutional-democratic route to socialism, tended to see, in the social reforms advocated by social democracy, the danger of a return to the pre-liberal 'police-state' or the equivalent risks of authoritarian collectivism. In contrast to what he saw as these unpalatable alternatives, in his book, 'The Impossibility of Social Democracy', he advocated that the state adopt a "Positive Social Policy," and a "distribution of wealth in the interests of the Social State and all its parts ... Liberalism and Capitalism need not be destroyed, but only to be led back into the service of the common weal." [82]

Despite a range of such criticisms from marxist and 'conservative' alike, the discourse of social democratic politics flourished in a number of countries. For instance, in Britain, where the liberal/social democratic 'Fabian' socialist tradition emerged strongly amongst working class political representation in 1918 after the First World War. This 'success' of Fabianism is amply manifest in the publication of the Labour Party's programme for 1918, namely, 'Labour and the New Social Order'. [83] With the subsequent emergence of Keynesian economics in the later 1920's and 1930's, then social democracy's, substantive 'social politics' found an economic discourse through which its socio-political strategy could be expressed. Yet in this 'alliance' of social and economic discourses, the priority of the economic was ensured throughout by virtue of its explicitly national frame of reference. [84]

Similarly. In Sweden (now, perhaps, one of the most accomplished 'welfare societies'), as Tjallingii has shown, following the 'debate on the Social Question' in the 1870s and 1880s in which the problems of political order and social welfare were confronted, social democracy became very strong, and the early years of the 20th century witnessed the victory of the "social welfare ideology" over the more structural discursive objectives of economic socialism. [85]

Although speaking primarily of Britain, Stephen Yeo has provided one of the most illuminating accounts of the social and political changes occurring at this time.

What was going on ... during the late 19th and early 20th centuries was a scramble for socialism - as imperialistic as the contemporary scramble for Africa. An attempt was being made to take its [socialism's] germs away from working class hosts and to vaccinate the body politic, seen as 'corporate', with them in harmless, even health-giving forms. There was an attempt, partly successful, to de-class the idea of socialism, or to nationalise it: to suggest loudly and often that it was a 'good thing' as an idea, even a necessary idea, but not attached to working class interests or associations. [86]

From these various points, the political discourse of social democracy adheres more directly to party-political fortunes, yet, as an analysis of 'Welfare Capitalism' or 'Social Democracy' would show, the significant developments within the field of social democratic politics need not be seen exclusively in party-political terms. In particular, one is apt to lose sight of a specifically social democratic discourse at all if a too pragmatic party-political focus is adopted.

The relations between modern social democracy and the working class centre upon: firstly, Keynesian economics, secondly, political democracy and the social division of welfare and, thirdly, industrial managerialism of a Croslandite variety. [87] Although significant differences remain apparent between the U.K. and Sweden, the discursive triumvirate sketched above remains the foundation of modern social democracy. With this basis established, a classic social democratic accommodation is achieved. Political possibilities are rendered contingent upon a range of variously styled

'social' objectives which, themselves, are subsumed under the auspices of national economic 'growth' which itself remains, "the dominant business incentive in Britain." [88] As political commentators tended to see the issue during the inter-war years, the social democratic cart should not precede the political and economic horse.

While many contemporaries of Crosland (and subsequent commentators) have mistakenly made much of the distinction, which was mobilised in Crosland's political and economic theory, between an essentially private capitalism and a public form of capitalism (thought to have emerged in the aftermath of the 'managerial revolution') which the state is capable of influencing, such a distinction is quite misleading. Thus, as Tomlinson has argued:

Both sides in the revisionist ... dispute tended to identify the existence of capitalism with the existence of particular types of individuals. For Crosland the decline of 'individual property rights' was crucial, for those attacking his position a central point was the assertion of the continued role of large shareholders.

Whereas,

The central failing here is the identification of capitalism with the role of certain individuals rather than a conception of it as a particular form of social relations which at different stages may be supported by different forms of individuality, without losing their character as capitalist. [89]

As suggested in the previous chapter, this 'form of individuality' may be the state, the 'quango', or the corporation: capitalism viewed as a particular form of social relations need not conceal the last traces of the ruling class. Rather, as we have seen, social democracy's march with progress through an age of 'social politics' has brought us to quite a new political configuration. The accommodation of social and political relations has occurred through the state's economic administration - its social politics, the substance of social democracy - and a form of cohesion has been inaugurated through the nationalisation of economic planning and such concepts as the 'national economy' and economic 'growth'. Both features are the crucial legacy of our tradition of social democratic politics and also

the basis of our modern social order. At the same time, however, they herald the advent of new capitalist relations wherein political economy's logic of signification, and capitalism as a system of representation become, as Baudrillard has suggested, increasingly more important. For, as Kay and Mott have pointed out, concepts such as national economic growth, Gross National Product and National Income are both products of modern capitalism and also the concepts, criteria and language, "through which it becomes conscious of itself." [90]

As has been suggested earlier, the state's social (hence also economic and political) legislation forms part of the discourse of capitalism's self-consciousness. One must emphasise that social legislation is now only a part of this self-consciousness because the state no longer monopolises social and economic discourse. It is one of the facts of the modern 'corporate' state that business (industrial and financial capital) trade unions and other, formally quasi-independent, bodies with regulative powers, all have a capacity to articulate socio-economic programmes and possibilities. In this sense they all have significant strategic effects. Modern communication technology and advances in mass-media organisation and delivery have intensified this state of affairs. Accounts of the formation of social and political order cannot avoid an examination of the ways in which interests are articulated by mass-media nor the ways in which sophisticated socio-political discourses are popularised. However, this is not the place to begin such an investigation of the role of the media but, in the next section, a beginning is made in the interrogation of the state's own discourse: social legislation. [91]

By this point it should be clear that social cohesion and political order in capitalist society rests, as described above, upon the accommodation and adaptation of 'social politics' to political economy and state administration. Both political economy and the state obscure the primitive basis of their relationship to the 'social question' and, beyond that, to the poverty of much working class existence. But they fail to do so, however, to the extent that, despite the hierarchy of motivations, careers, avenues of social mobility and

lifestyles with which capitalist society has been able to 'tempt' the working class, the condition and delivery of 'welfare' remains fundamentally disciplinary, punitive and divisive, never more so than in the systems for the administration of poverty and unemployment.

So far we have exposed some of the principles behind the security and order of contemporary capitalist society, the 'Social', but, as yet, we have uncovered relatively little of its actual substance: social policy, social institutions, social legislation. It is particularly appropriate that we turn to an examination of social policy and legislation now, for this field of action was precisely the objective and point of reference for social democracy itself.

THE DISCOURSE OF THE NEW STATE: SOCIAL LEGISLATION

For Donzelot, a good deal of the 'substance' of the administrative action of the state in society is made up of what he has termed the 'social enactments'. That is:

The whole set of laws and measures described as social which, since the end of the 19th century have centred on the issues of industrial accidents, unemployment, sickness and old age, on questions of assistance and prevention, on questions of workers' demands, of promotion and leisure. [92]

Within these 'social enactments' the cohesion and political order of contemporary society is contained. In the fullest possible meaning of the term, they dictate the nature of social security. A similar point is made by Andrew Fraser, who, describing the role of public law in the 'corporate welfare state' and the associated 'socialisation' of capital, suggests that "the contemporary state is characterised by an interpenetration of public and private authority." He develops this theme further.

The maturation of the administrative sciences could never have occurred apart from the development of social capital. So long as capital remained private and individual, the stability of the social order depended upon the united personal capacity of the bourgeoisie to maintain a stock of honour, prestige and respectability sufficient to maintain hegemony. The growth of corporate and social capital made it possible to view the hegemonic tasks of social administration as specialised functions capable of being performed according to standards laid down in the form of professional knowledge and

technique. [93]

As has been argued above, the arrival of a system of corporate social and economic planning, as a structural feature of advanced capitalism, implies a fusion of both social and economic objectives and of public and private policy making bodies for now, it seems, each, "become actively involved in the design, implementation and administration of a wide range of public governmental policies relating to employment, marketing, prices and incomes, taxation, health and safety standards, housing, education and so on." [94]

This, then, is the net result of the social enactments. They have involved the incessant advancement of regulative principles within societal administration such that there are good grounds for thinking that the 'dialectic of the social' has now brought us, full circle, back to the 'police state' characteristic of the pre-liberal era wherein political order derived from the 'franchisal jurisdictions' accruing to powerful individuals, justices, guilds and other 'legal personages'. [95] Through the 'social enactments' a formal cohesion based upon stabilised co-operation, has been achieved. This has been characterised as a major social transformation.

The monopolisation of capital in horizontally and vertically integrated industries. The aggregative concentration of labour in the trade unions, the emergence of the public enterprise with the state's entry into the market, the redistribution of money, which assures the purchasing power of the unemployed, all these processes taken together have constituted a social transformation. [96]

In assessing the impact of these social enactments and the transformation they have inaugurated, it would be absurd to deny the importance of political struggle, including party-political contests, around them. But, for the purposes of the present enquiry, the most significant aspect of the social enactments centres upon the way in which they have both assisted in the development of a new political technology and, at the same time, contributed to its day to day functioning whilst, still further, purporting to supervise the operations of that administrative technology. [97]

The political-administrative technology which is the centre of the 'social

transformation', referred to above, consists of an apparatus for the most effective distribution of a code of positive and negative sanctions promoting regular and steady work, aspirations of social mobility and loyalty to state and firm alike, whilst penalising certain forms of difference and marginality. At this point, it is appropriate to cite Churchill who seemed to have grasped precisely this disciplinary function at the heart of Industrial Insurance legislation. Furthermore, Churchill's analysis of the role of Industrial Insurance is close to Donzelot's recent re-interpretation and so explicit that one could be forgiven for adopting a conspiratorial reading of the early Insurance legislation. In 1909, Churchill spoke of the benefits of nationalised Insurance.

The idea is to increase the stability of our Institutions by giving the mass of the industrial workers a direct interest in maintaining them. With a 'stake' in the country in the form of Insurance against evil days these workers will pay no attention to the vague promises of revolutionary socialism ... It will make him a better citizen, a more efficient worker and a happier man. [98]

It is clear, therefore, that this new political technology described by Donzelot, is none other than social Insurance, an arrangement "inherited from commercial practices and transposed to the area of the security problems of a whole society." [99] It is important that we recognise the significance of this reference to 'a whole society'. No-one is claiming (despite Kay and Mott's work) that the nascent practices of Industrial and Injuries Insurance constituted the basis of a new political order, in themselves. On the contrary, social Insurance - as a specific practice - is but the most obvious amongst a number of practices by which a state invested 'social and political capital' in its population, more specifically, in the working class. Whilst this 'global' conception of social Insurance certainly is a vague and highly manipulable technology, it is nonetheless clear that only through the language and concepts of social Insurance, the hierarchy and social order they imply, will one most fully understand the precise political-economic relation pertaining between state and population in 20th century capitalism. [100] To indicate something of the socio-political parameters of what is implied by this strategy of social Insurance, one can say that, at one and the same time, it has served as the founding principle

of social democracy and also as a highly controversial extension of the 'sound' principles of political economy to the management of poverty and social welfare. [101] Perhaps it is this ambiguity at the heart of social insurance that provoked Stedman-Jones to remark, that, "globally and nationally the post-war government was the last and most glorious flowering of late victorian liberal philanthropy." [102]

For Donzelot, a significant feature of the technology of social insurance consists in the manner in which it has encouraged and bolstered the formation of a new kind of social cohesion. Clearly, the social cohesion in question is not reducible to particular systems of workers' compensations, and forms of industrial injuries, pensions or sickness insurance, rather, it should be seen as deriving from the state's insurantal techniques in their entirety. In short, from the whole series of 'social' measures by which an economic, political or social investment is made, by the state, in the population. As should be clear, the extent of these 'social' measures far exceeds the scope of strictly statutory provisions but, in most fundamental respects, this does not alter their essential nature. The new form of cohesion manifested in the strategy of socialised insurance conforms to a new politics: a new politics of needs. [103]

It is impossible to do justice to the complex history that has thrust this new politics upon us, undoubtedly the 'dialectic of the social' (the emergence of the social as an expression of the collective human, 'natural' conditions of life through which political order has been reconstituted), upon which so much of state policy and market practices have come to rest, is thoroughly implicated, but the whole story, above and beyond the elements already considered remains to be told. All that can be accomplished here and now is a sketch of the resultant of this new politics.

The new politics of needs refers to a social order in which need is utilised as a means of social cohesion rather than as an object of struggle or revolt. [104] The 'politics of needs' reaches perhaps its most developed expression in capitalist societies in the 'social market' or, in contemporary communist

states - as Feher et al. have suggested - in state socialism. [105] For socialists, the problem inherent in the political structure by which a 'politics of needs' is established, concerns the way in which this politics expresses a demand for resources in an essentially individualist or 'fragmented' manner. The 'politics of needs' invokes a kind of 'utopian-democratic consumptionism' by transforming the principles of a socialist critique of state welfare into mere distributional questions. [106] From this position, special interest groups come to proliferate in the interstices of the economy and state administration, their critique of state policy, their political 'attack', being fundamentally retreatist, "transforming a theoretical refusal into a quantitative demand." [107] However, rather than socialists becoming the best advocates of more resources in the pursuit of certain goals of 'equality', distribution and consumption (the social), these goals themselves require a critical appraisal. Instead of socialists adopting individualist consumption-oriented demands defined negatively (as a lack, an absence, a defect, an incapacity or a shortcoming) by reference to bourgeois ideals and images, these standards themselves must be demolished and political objectives formulated upon the basis of the possibilities, consciousness, experiences and conditions of existence of relevant groups of the population must replace them. [108]

It is beyond the aspirations of this work to suggest what these alternatives might be, they will, rather, emerge within the activities of the critical social movements. There are already enough signs to indicate what positive developments might take place although, so far, it appears that the evidence of what such movements must confront is substantially greater.

Above all else, what the critical movements must confront, is none other than the mechanisms of social cohesion effected through the general strategy of social insurance within the advanced capitalist state and economy. They encounter this cohesion, not in a physical sense, (at which point police and paramilitary force is mobilised) but insofar as it dictates the precise range of possibilities that they are seeking to undermine. As is true of the social policy of capitalist states in general, the discipline characteristic of the

strategy of social insurance oppresses less effectively as a form of violence than as a circumscription of possibilities, of lifestyles and forms of existence. It is this marginalisation of alternatives, this division, which is the essence of capitalist political order and policy and which constitutes the most fundamental challenge to critical political action. It will become clear, in the following discussion of Donzelot's identification of the three levels of the social insurance apparatus, how this 'challenge' is formulated and, in particular, how a form of social cohesion (a process of incorporation – the form of action of modern social democracy and the state), is established through them.

Aside from direct applications of physical force, the insurance apparatus operates at three levels. [109] At the first level, of wages, the strategy of social insurance brings a principle of security to the question of wages and income maintenance by introducing into the domain of poverty, struggle and sporadic incomes, the mathematical certainty of a calculated distribution. This is crucial, by this 'intervention', a good deal of the arbitrariness of individual resourcefulness is removed. The individual ceases to be a mere worker and is turned, at a stroke, into an employee of society by virtue of the fact that the costs of social insurance are borne by all the parties to the 'social contract' in such a way that an income is, with qualifications, guaranteed to all without the necessity of a reorganisation of the economy to restore 'full' employment. [110]

The society with social obligations or the social state is created within these very political and economic transactions. The combined discourses of legislation and administration come, eventually, to resemble what might be called 'a political technology' – a 'technology' which fulfils a number of important roles:

Insurance practice results in the de-dramatisation of social conflicts by eliding the question of assigning responsibility for the origin of social evils and shifting the issue to the different technical options required to 'optimise' employment, wages, allowances, etc. [111]

The effect of the insurantal apparatuses is to create a particularly passive

social cohesion. In the process, eliminating or avoiding associations formed for the collective self defence of the working class (sick-clubs, friendly societies, co-operatives), by reducing working class contact and experience with the state to an essentially individual level. [112] It is interesting to note here that the Trade Unions are, quite simply, the last survivors of this process of administrative 'imperialism', but that they too, although already substantially compromised by their incorporation into nationalised systems of state administration (particularly so in Sweden – the most advanced 'welfare state'), may not survive the decade in the U.K. in their present form. [113]

From the point of view of state policy – the establishment of a disciplinary form of administration and social cohesion – the insurantal strategy proved a very effective system. In conforming to the pattern of 'modern' state administration and to the disciplinary relations embodied in capitalist political economy, the insurantal techniques played two very significant roles. Although specific insurantal transactions involved individuals, they remained 'mass-society' transactions and were therefore susceptible to the influences of moral and political economy at a national level. For the state, this quantitative orientation permitted calculation and rationalisation, thus guaranteeing the operability of all the techniques of administration that the state had at its disposal. Ultimately, these techniques contributed to a more effective statutory discourse on the productive capacities of working populations, their 'efficiency', health and 'reliability' (a term which stood for a whole host of the characteristics of workforces which managements might assess but seldom admit to directly, such as: political complexion, strike-proneness, discipline and other plainly moral characteristics), but which could now be expressed in specifically economic terms. [114]

At the individual level, however, the insurantal techniques effected a very detailed regulation. They necessitated a claim, frequently a statement of personal circumstance, perhaps an interrogation but almost certainly some kind of application form. Each of these procedures very routinely transformed what may well have been a collective experience of a common

situation – poverty or unemployment, etc. – into an individualised encounter with the state administration. Solidarities were irrelevant here, all that concerned the administration was an individual's record and circumstances. Through this individualisation the dependency of 'claimants' (the working class, the poor or unemployed) upon the administrative technique was organised. Thus, through the insurantal techniques, the individual was rendered 'manipulable' in very immediate ways: the techniques represented a very direct intervention by the state into questions of resource distribution and working class living standards and consumption. [115] More recently, as the combined effects of insurance costs (including forms of taxation and other forms of wage debiting), inflation, rising aspirations and increased relative levels of 'luxury' spending begin to undermine, though without yet overwhelming, the practice of private saving by the working class, then the precariousness and dependency of large sections of the population upon existing insurantal techniques, social policy, the state and the fortunes of capitalist political economy is substantially increased. [116]

The second level of the insurance apparatus is that of social work. This theme will not be developed too extensively at this point for it relates to questions to be addressed more thoroughly at a later point. For the moment, aspects of social work – as a tactic of social intervention – will only be considered insofar as they contribute to the strategy of social insurance and enhance the foundation of social cohesion around political economy and the labour market. We are clearly able to detect, in the late 19th and early 20th centuries, the extent to which social work and other forms of philanthropic assistance to the poor were arranged (even devised) around the labour market and, more generally, the field of production. [117] For instance, Beveridge, often identified as a major architect of the modern welfare state, cited General Booth (perhaps the best representative of an older form of organising the delivery of assistance) in 1912. Booth was outlining the objectives of Salvation Army social work:

When we have got the homeless, penniless tramp washed and housed and fed at the shelter, and have secured the means of earning his fourpence ... We have next to seriously address ourselves to the problem of how to help him get back to the regular ranks of industry. [118]

In Booth's plan, therefore, industrial rehabilitation figured as a major component of the social work task. Indeed it might be said that in older forms of arrangement, industrial rehabilitation was social work and vice versa. [119] However, following the erection of more extensive systems of social insurance, social work came to be directed towards a new tactical objective. Removed now, from a role in which it sought to encourage work and production directly, social work came more and more to be utilised as a back-up for the failings of the insurance and assistance mechanisms. On the basis of the expansion of these social insurance mechanisms – essentially the whole range of 'social security apparatuses' – social work is given a virtually unimpeded field of action. It is able to intervene wherever and whenever these insurance apparatuses, the range of rights, sanctions and penalties they bring to bear, have proven insufficient. In such cases social work undertakes its primary task namely, "the corrective manipulation of marginal populations". [120] Of course marginality is always defined in terms of the insufficiency of the existing insurance mechanisms for ensuring the social integration of the population but, despite this, it is typically described and explained in terms of individual failure or pathology. [121]

Intervening within this field of marginality and 'failure', social work applies principles of contract and tutelage (elaborated later [122]) according to which benefits and allowances are increased or reduced, reassigned or deducted at source, depending on certain conditions being fulfilled, whilst recipients of these allowances are counselled as regards their consumption and spending patterns. Here, of course lies one of the reasons for the recent burst of social work interest in the phenomenon of debt-counselling. The practice is undoubtedly only the latest in a long line of relational therapies concerning the financial problems of the poor in which a significant reversal is effected. For, as Golding and Middleton have remarked, such techniques frequently betray a far greater concern for the outflow of cash from the families of the poor, than for an inadequate inflow. [123]

In Donzelot's words,

Social work adds a general frontiersman action for the general mechanisms for producing social cohesion: a supplement of goods and care paid for by a diminution in responsibility, autonomy and internal allegiance and by a vertical surveillance directed against anti-social solidarities and deviations. [124]

In this way a further disabling, limiting or remedial, form of integration is placed upon the poor, in sharp contrast to those more positive forms of integration and solidarity applied in respect of other, more affluent and secure, sectors of society. [125]

The social security 'system' structures and maintains the pattern of poverty in contemporary society within a distribution of inequality constantly reproduced within the relations of production, distribution and consumption, and given extra force through the actions of the contemporary 'social' state. It is certainly not that the 'interventions' of the state leave the pattern of inequality untouched; rather, they 'structure' it, democratise it and normalise it. [126]. In short, the state actions, by associating the distribution of inequalities with a range of 'socially responsible', democratic and 'welfare oriented', practices, legitimate the existing inequalities by effectively naturalising them. The intervention of social agencies confirms this reading of the pathology of poverty within the population-distribution by organising the social work task as a form of rehabilitation around basic social symbols, symbols such as work, expenditure, family, lifestyle and consumption, which express, not only the fundamental normalcy but also naturalness of social life, but also the essential 'deviance' of the poor.

In the third aspect of the social insurantal strategy, positive integration, these questions of the normalcy of social order are central, for positive integration refers precisely to aspects of social consumption and lifestyle. The mechanisms of cohesion involved here are the claims to social promotion, reward and leisure (objectives, or ideological symbols of social order) which are articulated by Trade Unions, professional associations, consumer groups, marketing organisations, schools and mass culture. This level of 'the social' is directed towards the integration of aspiring strata and it serves as the staple fare of popular party-politics.

By speaking of social promotion and the foundation of cohesion around 'desirable' social goals and conditions of existence, we have returned, once again, to the foundations of political order in welfare capitalism (social democracy). In articulating conditions of hierarchy and division as desirable forms of social existence, the mechanisms of social insurance ensure for political economy a profound socialisation of economic relations. To the extent that they are successful, capitalist political economy and its priorities and prerogatives (its forms of discipline and exploitation, its divisions and techniques of subjection or exploitation, and its inequality), appear as the necessary and natural conditions of existence of human social order. The 'new right' philosophy of the 'social market' expresses these relations most completely. [127]

Few would have predicted the results of this peculiar dialectic through the social, the precise path taken by the immense socio-political transformations of the past 150 years. Indeed, "the irresistible sweep of social tendencies," identified by Sydney Webb in 1920, seemed to suggest a far more democratic and collective solution to the problems of capitalist economies. [128] A characterisation of the immensity of these transformations cannot do justice to their complexity, but the contrast between Spencer's vitriolic attack on "regulative legislation" in general, [129] and the later, rather more progressive, views of Marshall will indicate a little of the ideological shifts, reversals and realignments before the social market could make its appearance and be welcomed by liberals and conservatives alike. In contrast to Spencer's anti-statism Marshall wrote of the progressive role that the state could play in social development. In 1884 he was moved to indicate what was required.

Now .. [we are] .. learning the importance of insisting that the rich have duties as well as rights in their individual and in their collective capacity ... The nation has grown in wealth, in health, in education and in morality; and we are no longer compelled to subordinate every other consideration to the need of increasing the total produce of industry. In particular this increased prosperity has made us rich and strong enough to impose new restraints on free enterprise; some temporary material loss being submitted to the sake of a higher and ultimately greater gain. [130]

Similarly, Lever suggested.

The time is coming – and coming very rapidly – when both employer and employee must be more subject than they are today to control by the state. It is not merely a question of the rights and duties of the employer and employee, but we know now that the public, the consumer, and, in fact, the well-being of the state and the Empire have also to be considered. [131]

Thus, on the one hand, it is not necessary to accede wholly to social historians' pragmatic visions of social reform to detect positive and progressive traits of social policy, processes of development, determinate and comprehensible shifts in the relations between the economy, the state and working class political action – relations reflected and redefined in the new patterns of state policy. [132] On the other hand, however, neither would it be correct to view the welfare state as the long-term goal of policy-makers. A more accurate view suggests that the welfare state or, rather, the ideology of the welfare state, is properly conceived of as,

a subsequent political construction placed upon those artifacts of social organisation which had already formed the social domain. This domain exceeds the proper limits of state action in liberal ideologies, and falls short both of demands for self-management and comprehensive planning in socialist ideologies. The 'social' is thus neither the realisation of a political programme nor the necessary reflex of economic management. [133]

On the question of these social enactments, it appears, as Donzelot has suggested, that the prominent political discourses often seem unclear. It is as if political philosophies saw in the social enactments, and the socio-political order from which they are derived, little more than a temporary ground upon which tactical political skirmishes are fought out and transitory advantages gained. If we are to believe the more populist or polemical accounts, the welfare state and the social enactments betray a logic of development. On the left, it is often suggested that the collective measures forming the welfare state only emerged as the outcome of a period of working-class popular struggle. Yet again, on the right, even the more right-wing of economic theorists seeks only the 'down-scaling' of 'social-aspirations' to provide the basis for a new burst of economic growth. [134] whilst, in opposition to both, more rigorous analysis reveals a

dialectical process of development (and a far more contradictory nature) behind the social enactments.

Thus the social enactments betray, on the one hand, a contradictory process of development whilst, on the other hand, they are caught up in a relatively coherent 'social politics', with its own relationships, problematics, institutions and symbolism. [135] Yet although relatively insulated in this way, the field of social politics is constantly shaped and reshaped by the economic relations to which the 'social sector' is connected, and this is the terrain upon which the substantial majority of political contests and class struggles are fought out. [136]

In charting this field of social politics, its practical and constitutive role in relation to individual and collective well-being and status, it is not difficult to detect the prominent ideological themes, objects and ideals, amongst which social policy has sought to weave its discriminating practices. Strange as it may seem, but separating the 'sheep from the goats' has been portrayed as the essential task of social policy on more than one occasion, whilst techniques of social division are intrinsic to social policy itself. [137] Through this strategy of division, the normal and the natural (the social), which themselves are clearly socio-political constructions, are enhanced and protected from all those influences which may threaten or destabilise them, or, worse still, reveal them as social constructions. Of all the social institutions to which this description of separation, enhancement and protection applies and which, or so the ideology goes, declares upon every side its normality and naturalness, the family stands out as the most prominent. Thus a constant theme in the literature of 'the social' has been the state of the family. [138]

SOCIAL DISCOURSE AND THE FAMILY FORM

In a number of important ways the discourse on 'the condition of the family' has been crucial to the reproduction and reshaping of the social sector itself. [139] Undoubtedly this discourse on the family's condition has often

been no more than a foil for the defence of patriarchy and its privileges the, religious and later pseudo-scientific, repression of female sexuality and the assumption of the generic pathology of woman. [140] However, this family discourse has seldom contained these themes only, as often it has tended to refer to a general social malaise for which women were frequently seen as, at least partly, to blame. [141]

The broad parameters of this assumed social malaise permit some generalisation: If the discourse on poverty, industry and morals – what Foucault has called 'the disciplines' – refers to the characteristics (the vices, weaknesses and passions) of the individual [142] then, similarly, the discourse on the problems of the family can be said to refer, in an equivalent sense, to the crisis of the social. [143] This is an impression strengthened by the very centrality of the institution of the family throughout the period under consideration. Transformations in broader social relations were reflected and intensified in changes in the role and constitution of the family. As Briggs has shown: "Kinship ties – conceived of as an intricate network of responsibilities within extended families – upheld both 'domestic industry' and small scale farming, while in the political arena, family 'connexion' counted for more than 'party'." [144] Equally the changing place of the family (and of family members [145]) in the relations of production and distribution signify, perhaps more conclusively than anything else, the new relationships to which families became wedded in industrial society. [146]

Deprived, by changing relations of production, of its particular autonomy, the family became increasingly domesticated and internalised, ultimately decentred, in both the spheres of production and political authority. [147] In future the family would occupy a space somewhat more subordinate in relation to the state and the market and, caught in the crossfire of politics and economics, the family would 'reproduce' individuals, demands and legitimacy. Indeed, such was the constitution of this social domain that the formerly significant division of 'public' and 'private' became meaningless (or at least a highly class-specific distinction) and the working class family

especially, became, in the course of industrialisation, capitalisation and the middle-class cultural assault, increasingly manipulable. [148]

The overall impact of the transformations referred to above is not merely evidence of a changing role for the family, more fundamentally the family itself was being situated in new relations of authority and production. [149] It is here that the radical insights of Donzelot become especially relevant, for he distinguishes his account of the transformations in and around the family from the work of marxist-functionalists who, in seeking to account for the existence of particular family forms, rephrase the question, 'Why does the family exist?' into, 'What functions does the idealised family perform in the reproduction of the social relations of advanced capitalism?' Yet, on the contrary, as Hodges and Hussain indicate,

for Donzelot, the family is less of an institution or organism, than the point of intersection of different social practices: medical, judicial, educational, psychiatric etc. [Here we should also wish to add, 'economic'] The question for Donzelot is not so much what function does the family perform, but rather how is the family - or ... different kinds of families - made to perform a diverse range of social functions. [150]

Different forms of family, new social and political relationships and a transformed and increasingly relational modality of power in which the family is both ensnared and which it also relays, then,

a more appropriate point of departure ... is the assumption that families do not [necessarily] reproduce the established socio-economic order. The argument is that it is the systematic inability of families - some if not all - to perform the relevant functions which accounts for the interventions in the family - interventions which not only keep the families in line but also transform them and thus constitute them. [151]

So, given the enormity of the transformations in social relations within which the family was caught, it is perhaps little wonder that the malaise of the social constantly referred to and implicated the family. For, to a certain extent, the two domains were co-extensive. [152] It is impossible to see this 'decentring' of the family as anything but a political strategy which had as its dialectical antithesis the 'modern family' as an apparently depoliticised object of policy in the social field, the latter being seen as the terrain of the

state's practical political interventions. Von Stein was aware, in 1850, of the way in which the formal-liberal freedoms would, under the pressure of new relations of production and distribution and the rising working class movement, give rise to new, as yet unknown, constellations of political forces in which the bastions of conservative privilege and moral order and economy would be challenged in the upheaval of capitalist industrialisation. He could not, however, have predicted the form that this restructuring of relations would take.

The working class began to search for a new order of human society on the basis of a new principle for the distribution of goods ... The labouring class conceived clearly that the principle of abstract equality of all people was generally accepted but that the laws which determine the distribution of goods prohibited the concrete realisation of this principle ... What are the roots of dependency and misery of the proletariat in industrial society? It is not industry or capital as such, but the institution of personal and hereditary property which leads to domination and subjugation ... the antagonism against property and the family becomes rooted in the industrial proletariat ... A consistent interpretation of abstract equality and liberty necessarily leads to doubt as to the value of these basic institutions (family and property) and then to the attempts to abolish them. The proletariat accepts these thoughts and is ready to attack both property rights and the family: this is an inevitable and necessary historical development. It is also the basic starting point of social antagonism in industrial society.

[153]

Thus, family and property represented the central institutions of the traditional order (Ancien Regime), an era of visible and authoritative power. In the subsequent history of their mutual interaction, the relative priority of these two institutions came to be reversed [154] and the family became the flexible sight for a range of disciplinary social interventions. Much later, property too was to go down this road as the modality of power of modern society's disciplinary social regime came to be effected through new, relational, political and economic practices, practices which, perhaps inevitably, entailed divisive and disastrous implications for large sections of populations, but that, of course, is another story. [155]

For the moment it is necessary to trace the way in which the crisis in the family reflected the transformations in social relations, witnessed by the 19th and 20th centuries, in order to draw our own conclusions about the genealogy and disciplinary constitution of the social sector. The most

appropriate means to do so, is to follow Donzelot's account in The Policing of Families.

Conscious of the highly original and challenging although, at times, relatively unelaborated nature of his work, Donzelot was quick to point out its preliminary nature. It seems that he saw his book as little more than the 'preface' to a much larger study of the emergence, operation and effects of the 'social sector' itself in modern society. Thus, although the substantive focus of the work is the constitution and manipulation of the family, its form and inter-relationships, a more profound concern emerges and, in the book, "this first object, the family, will be seen to fade into the background, overshadowed by another, the social, in relation to which the family is both queen and prisoner." [156]

This much larger study is beginning to emerge in Donzelot's work and, as suggested earlier, the present chapter is part of an attempt to apply his approach to the study of 'the social sector' to an examination of the socio-political transformations dictating the form and content of policies towards the poor and deprived. Yet neither Donzelot nor Foucault have made much explicit reference to either capitalist political economy nor the state - both elements which are crucial to the present project - this absence is deliberate. It was the intention of each to counter the reductionism of accounts of 'policy' which posited 'capital and the state' as the villains of the piece and the root of all domination. Their intention was to point out the 'relative autonomy' of social relations and how these social relations reproduced, refracted and redistributed forms of power, hierarchy and domination throughout society. From the present analysis of the rise of the 'Social State', it should be clear how the work of Foucault and Donzelot can point to new relationships and lines of explanation by which contemporary social policy might be understood. [157]

Tracing many of these, disparate but related, lines of development and explanation into the formation of the social sector, Donzelot refuses to interpret them on their own criteria of intelligibility (that is, in terms of

self-evident criteria of economy, control or reproduction, the medicalisation of pathological tendencies, or questions of need, welfare or kinship etc., all of which aspects historians and social scientists have typically employed to 'explain' forms of social change). On the contrary, within the emergence of these new concepts, within their invocation by 'authorities', one may detect the essential components of a new form of relational social management whereby particular forms of (certainly idealised) social relations are celebrated as desirable ends in themselves - to the exclusion of other possibilities. Deleuze has, perhaps, expressed this new 'relational' form of societal management most adequately, [158] but from his formulation one ought not to be misled into thinking that management (or government) through the social is merely the arrangement of a political structure divorced from particular effects. On the contrary, the hierarchy and cohesion of the social, the forms of dependency and domination it renders possible, are intimately connected to capitalist relations of production and reproduction precisely because it was only with the amassing of population and wealth, their mutual interaction on a national plane, that the social came into being in the first place. From this point onwards, the social has perpetuated the dominance of capitalist relations of production by appearing as their 'natural', hence social, form. The social thus speaks to the limits of collective-human possibility and organisation - of limits defined by capitalist relations of hierarchy, dependency and exploitation. [159]

It follows, therefore, that if there is a coherence within this social sector it rests upon the interventionary, relational and distributional, techniques of modern society, in the objectives they seek or claim to promote, rather than in the particular practices they adopt.

DIGRESSION: DONZELOT, FEMINISM AND THE 'WOMAN QUESTION'.

The above reference to social objectives rather than to the pursuit of particular practices is quite deliberate. It is not that practices were unimportant, but simply to record that in the projects of remoralisation, rehabilitation and reform - aspects of the strategy of 'normalisation' - it was

objectives, ends, images and ideals that had priority. In relation to the family, these often traditional and restrictive 'objectives' were often very clear indeed. [160]

For present purposes, these ideological objectives are central in two senses. On the one hand, they helped to describe the coherence achieved by the pattern of interventions around the family form (although the question of coherence itself is still quite problematic for Donzelot as will be demonstrated later). On the other hand, questions of objectives and ideology are quite central to a number of divisions within feminism, divisions which persist to this day and have, at times, exerted a major influence upon the direction of social politics. Ehrenreich and English, for example, have characterised these divisions as representative of two strands in feminism: the romantic and the rationalist. [161] Other writers have identified alternative, more explicitly political, strands of feminism whose interaction and association have had very significant impacts upon the socio-political arena. [162]

Donzelot, clearly, is well-aware of these divisions, his book bears witness to his express ambition to describe the impacts of the strategies advocated by the various social and political groups insofar as they have contributed to a discourse on the 'ideal family form'. Thus, the coherence that Donzelot has referred to lies here rather than in any 'plan' advanced by women's philanthropic organisations. [163] Yet it is also possible to identify common elements, common ideological themes and preferences, which have affected social institutions in particular ways, without reading a uniformity into feminism which was never unambiguously present. Similarly, one may acknowledge the differences of orientation, ideology and objectives within feminism without re-imposing that division which middle-class Victorian men found so advantageous. [164] Thus, if at times, Donzelot appears to be wanting it both ways, it is simply that he has another kind of historical project in mind. [165] He is not seeking the 'truth' about the family, or what its 'real problems' were but, stepping aside from the plentiful supply of historical discourses on: 'the family's problems', 'the woman question' and 'the problem of the child', has given sufficient attention to the complex

interaction of politics and 'scientific' discourse around and throughout the family. In short, perhaps we can say that Donzelot has recognised that the struggle over the future remains essentially dialectical. [166]

Yet despite the great potential and the openness of Donzelot's account, it seems necessary to defend him against certain accusations that he sees a female (or rather feminist), complicity in the pathologies of the contemporary family, and that he exhibits an anti-feminist and patriarchal nostalgia for the (highly idealised) stable bourgeois family of the 'ancien regime'. The question of nostalgia (an idealism which fixes a particular family form as the standard against which all others are deviations) will not be addressed directly, nor will other more obvious misinterpretations of Donzelot be considered here. [167] For the present, however, the most pertinent criticisms that require answering are Donzelot's alleged anti-feminism and his description, within his notion of the strategic outcome of feminism's intervention into social politics, of divisions within and between feminist social movements. [168]

The most widely distributed account of criticisms of Donzelot is found in Barrett and McIntosh's 'The Anti-Social Family'. [169] although many of the points they make are not original. Much of Barrett and McIntosh's argument proceeds by inference and suggestion rather than argument. They equate the work of Donzelot with that of Christopher Lasch (who, one suspects, is their principal target) but nevertheless believe they have detected an unacceptable sub-theme of anti-feminism in Donzelot's work which they invite readers to compare with the (admittedly excellent) work by Ehrenreich and English. [170]

The nature and implications of Barrett and McIntosh's criticisms of Donzelot can be elaborated by drawing on work by Bennett et al. In volume III of Politics and Power, Bennett et al. formulated a highly critical reply to an article by Paul Hirst, in which Hirst had sought to elaborate Donzelot's argument. Bennett et al. wrote,

It is important to expose this reading of history [i.e. Hirst's elaboration of Donzelot] ... because he uses it to indicate that

feminism has already been used once to save an ugly social crisis in which class conflict and social deprivation might have provoked a revolutionary situation had it not been for the family. [171]

Very strangely, Bennett et al. seem to wish to polarise attitudes as to the family's role in history. It seems we are to be presented with a theoretico-political choice: feminism and 'its' discourse on the family either, (a) contributed to the sanctity of the family and thus helped resolve a potential social crisis (Donzelot's alleged position), or, (b) feminism attacked patriarchal institutions such as the family in ways which posed problems for the social order and, in solving these problems, state and society had to acknowledge certain of the demands for women's rights. Crudely, this is the choice we have been offered. Yet, between this polarisation of themes, of positions one is able to assume with respect to the contributions of feminism to social and political struggle, there is a great deal of (social) activity: the formation of new knowledges, new social practices, campaigns, conflicts and alliances, and it is to this 'soft' social centre that Donzelot has directed his attention. Indeed if history is to become no more than the pursuit of hidden culpabilities, then far more than feminists are implicated, our criticisms must also extend to socialists, liberals, social democrats, philanthropists and politicians in general – to say nothing of capitalists, bankers, businessmen, landowners, political economists, statesmen and conservatives. [172]

Stranger still, however, is Barrett and McIntosh's suggestion that readers compare what they believe to be Donzelot's flawed account of 'feminism's culpability' with the work of Ehrenreich and English for, as suggested earlier, one of the major themes of the latter's work, is precisely the elaboration of the complex interplay between romanticist and rationalist strands of feminism. Clearly this is not the only significant dialectic within the feminist 'ideological alliance', but it has been far from insignificant.

Shaped by the ideology of sexual romanticism, woman makes a more convenient worker when she is needed by industry: the romanticised woman is supposed to work for low wages, typically in work which requires submissiveness and/or nurturance, and quickly go back where she 'belongs' when the jobs run out. [173]

Familiar stuff. Indeed, as Ehrenreich and English go on to demonstrate, in the age of advanced capitalism when, "consumer education had become consumer manipulation." It was the woman as 'homemaker', the fictive persona - 'housewife' - evolved through the interplay of romantic and rationalist ideology, who was both target and ideal of commercial capitalism's most militant advertising campaigns. [174]

Thus Barrett and McIntosh's resort to Ehrenreich and English becomes as double-edged as the transformations occurring within the strands of feminist theory and ideology themselves. But, whilst Ehrenreich and English drew attention to the dialectic of rationalism and romanticism, it is possible to detect another, perhaps more significant, dialectic within feminist theory and ideology. (one which, in elaborating the outcomes - interventions, knowledges, etc. - of the interactive process of theory, ideology and practice, helps reveal the advantages of Donzelot's approach). The dialectic in question concerns woman's supposed 'essential nature' and how competing political ideologies have retained this notion, explicitly, implicitly and to their cost. Underlying both rationalist and romantic visions lurked assumptions about woman's 'nature', attitudes which, eventually, seem to have proved considerably more enduring than their ideological carriers themselves. No doubt though, as Donzelot has suggested, the question of social class is of fundamental importance to the viability of the new 'natural', feminine and domestic ideological formation within which many women remain trapped. [175]

Barrett and McIntosh's critique of Donzelot rejects, in particular, the suggestion that the major impact of the work of the 19th century feminists and philanthropists has been one of the maintenance of the social order. Yet clearly a problem remains, one which is all the more pronounced to the extent that adversaries fail to recognise the dialectic of 'the natural' and 'the social' within which their conflicts and those of the 19th century feminists, philanthropists and reformers were fought out. The dialectic was by no means exclusive to the late 19th century although it became particularly focussed in this period. While the ideological association, particularly in the

Judaeo-Christian tradition, of woman and civilisation, runs very deep, by the mid-19th century a number of vital political questions came to be focussed upon it. As Angela John has written:

Woman was seen to be the saviour of the nation and must be placed back in the home. Such an emphasis was timely, not only would her removal from work help resolve certain demographic imbalances but it might help restore harmony to a country threatened by Chartism ... At a time when Bronterre O'Brien was proclaiming an entire transformation of society, it was felt important to reaffirm the value of matriarchal control. [176]

Of contemporaries, perhaps Samuel Smiles (and in the present context who better) most clearly outlines the detail of this moralising strategy and its desired effects. In the home, it was to be the woman who

in all spheres of life and statuses of life, there regulates those influences which operate most powerfully on the physical, moral and mental constitution of man. [177]

Woman was thus the 'great civiliser' and without her influence the constitution of state and population was in danger of imminent degeneration. [178] As a number of writers have indicated, [179] the latter half of the 19th century witnessed the ideological transition from the ideal of 'the lady' and 'the wife' to the ideal of 'the mother' and, in the process, women were situated, ever more firmly at the centre of the age's most prominent social institution: the family. Thus, confined to solitude and domesticity, women were to become the guardians of future generations. [180]

The imagery of woman as wife and mother was so powerful, so positive (even subversive of male authority) in that it offered to women a valid status and function, that it is hardly surprising to see the feminists and philanthropists of the 19th century grasping these ideals - despite their ambiguities - as the first steps of an escape route from the confinements of male authority and the home. [181] As a result, one ought not to be amazed to see those 'feminist reformers' adopting precisely these 'promotional' ideals, campaigning on their behalf and attempting to secure the adherence of other women to them. Women were, as Platt has indicated, "the 'natural caretakers' of wayward children", [182] despite the

the ambiguities of this role:

The ideas about women's nature to which some feminists still clung, in spite of their opposition to the enslavement of women in the home, were the very clichés which had so long been used to keep them there. The assumption that women were morally purer than men, better capable of altruism and self-sacrifice, was the core of the myth of domesticity against which the feminists were in revolt . . . Feminist and anti-feminist assumptions seemed curiously to coincide. [183]

As if to emphasise this very point, Platt cites examples of feminist reformers exploiting the ambiguities of these anti-feminist stereotypes in order to advance their own claims. Unfortunately this tactic of a greater cause (the emancipation of women) came to assume a life of its own – forming the basis of contemporary sexist and exclusionary ideologies and practices. Thus,

The influence of women, as wives and mothers, upon their family . . . is generally speaking, greater than that of men . . . A prudent wife and mother may, in great degree, counteract in her family the unhappy consequences of her husband's intemperate or dissolute life, much more than it is possible for an honest and industrious husband to counteract the melancholy effects of the bad conduct of an immoral wife . . . If she is unprincipled, the whole house is lost. [184]

And not only in America were 'feminist reformers' advocating women's true mission: similar examples can be found in the British case. For example,

19th century woman exploited the belief in their superior morality to increase their power in a society dominated by men. They could only give up a belief in the distinctions between the sexes at some peril. [185]

Through her religious and domestic skills, woman was "ideally suited for the moral reformation thought to be the best remedy for indigence." [186] Some went even further, for example, Hannah More, "Charity is the calling of a lady; the care of the poor is her profession." Or, as Clara Lucas Balfour put it, "We brought all the sin into the world, involving man in the ruin that he was not the first to seek, and it is the least we can do to offer him a

little good now." [187]

Woman's supposed 'eternal suitability' was not, however, without its more immediate and secular rewards. Such work, after all, trained women to be better wives and mothers (or so a number of contemporaries argued [188]). So appropriate was the connection between woman's 'nature' as mother and her wider social role that it might appear difficult to disentangle the two - which, after all, was to be the means for the achievement of the other? [189] However, any doubts upon this score may be swiftly cast aside when these ideological commitments of women are re-examined through the filter of social class. For, as both Donzelot and Prochaska in their own ways establish, a dual strategy for rich and poor was envisaged. The woman of the former class was to espouse the virtues of womanliness, domesticity and caring - it was to be both her allotted social role and her vocation, her object was the remoralisation of the poor - the advocacy of God, Family and Nation before class. [190] The objective was the enhancement of the family - their own families certainly - but, just as importantly, those of the poor. [191] As Prochaska has suggested, there was more than just a hint of ambiguity in the reformers' maxim, "to help the poor to help themselves". [192]

There were, therefore, several ambiguities in the beliefs and ideological assumptions of the feminists and philanthropists. Ultimately, however, their elevation of an ideal of woman's superior nature as homemaker and missionary of domestic morality had the result that familialism and women's subordination were enhanced at the cost of feminism. The dialectic of 'nature' and 'the social' was cross-cut by the effects of social class and, in the event, it seems that this was enough to disrupt more explicitly feminist political discourses and objectives as the feminist reformers began to mobilise, increasingly, around the standards of social purity and moral reform. The idea of women's superior moral nature gained increasing purchase. [193]

This phenomenon was especially marked in relation to the work of the Social

Purity Association and that of other moral reformers in the fields of prostitution, depravity and 'vice'. The prostitutes, like the women colliers and down-trodden factory hands, changed, in the hands of the new 'social feminists', from the degraded source of all social and moral contagion, into the, admittedly culpable, victims of the ravages of society (although, as Walkowitz has suggested, a certain ambiguity was often manifest in the reformers' accounts of working class women's lives [194]). Nevertheless, a significant change had been registered:

The stereotype of the prostitute changed from that of the brazen hussy to that of a young woman who, if not completely innocent, was more sinned against than sinning. Attempts were made by writers to relate the prevalence of prostitution to the low wages paid in the only occupations open to women, and, in general, to make some connection between women's legal and political disadvantages and the problem of the prostitute. [195]

The common bond of legal and political disadvantage created a particular affinity between the political aspirations of feminists and the prostitute, the object of their attention. "The prostitute in her extreme degradation personified to feminist women the injustice and degradation to which all women were subjected to by 19th century society." [196] (It is significant that middle-class Victorian man frequently sought, directly or indirectly, as clients, husbands or philanthropists, to disrupt this 'affinity' between classes of women. [197]) However, many women's refuges and 'missions' began to assume a feminist colouring, especially so during the mobilisation against the Contagious Diseases Acts. [198] Yet, with the blossoming of the repeal movement campaigns, it seems that the moralism and familialism of social feminism reasserted themselves. [199] Walkowitz, summarising the whole period of feminist agitation against the Contagious Diseases Acts, has written,

The History of the repeal campaign does not end triumphantly with the removal of the C.D. Acts from the statute books in 1886 but, more ominously, with the rise of social purity crusades and police crackdowns on streetwalkers and brothel keepers. [200]

In 'Social Purity' and moral reform, the ideology of 'woman' - the subordinate wife and mother, was restated. Her true nature and role, her life's preordained task was emphasised ever more strongly. In future she was

to be the guardian of her home and family and the servant of man. [201]

The upshot of the feminist initiatives at social and political reform in the latter part of the 19th century, certainly led to a rearticulation of the relations between the sexes, although not necessarily in quite the ways that the 'radical' feminists had envisaged. Transcended by the massive chasm of social class, the dialectic of nature and the social was, for the moment, resolved with the victory of social feminism over radical feminism; [202] the victory of another divisive patriarchal ideology of women's subordination that, even today, retains a firm hold upon the lifestyle and expectations of many women (and even more men). This social and ideological 'closure' was effected through the success of social feminism's moralistic message about woman's nature.

Social feminism argued that women deserved to participate in public life because of their moral and ethical superiority to men ... to justify their request social feminists argued that society was an extension of the home and woman's work in the world only an enlargement of her maternal powers. This argument meshed only too well with the popularly accepted views of women's nature and function, and its success as a justification of women's economic and social activity outside the home meant that the revolutionary strand of the woman movement ... was defeated and eventually abandoned by women. Woman's mission was based upon the idea of a common female nature which underlay differences of class and status; but the largest number of women who accepted the premise also believed in the moral superiority of the female nature. [203]

It is quite true, as a number of critics of Donzelot have argued, that many feminists of the 19th century were not engaged in the struggle to moralise society and restore harmony to its classes (although it is also true, as Prochaska has shown, that many were doing precisely this) but, that feminists, were actively engaged in a bitter struggle against the discriminations and restrictions of a patriarchal society - seeking to propel this society's antiquated, authoritarian and repressive, institutions into crisis and disarray - in the name of a common humanity and the equalisation of relations between the sexes and the social classes. [204] However, the themes around which they based their campaigns, the avenues of political action they adopted, the objectives, ideals and goals they articulated - ultimately, the view of 'woman's nature' they settled upon - were part of the

dialectic of the 'natural' and the 'social' that continues to plague socialist/feminist political work and which had an existence of its own. As Rosalind Coward has put it, "sexual relations became the point of contestation as to the relation between nature and culture," [205] and this contest (or dialectic) had effects beyond the ambitions of specific groups of reformers and 'strategists', and certainly over and above their capacity to influence them. [206] It seems, then, that we must conclude with Olive Banks that,

even if ... the feminists could not have pursued a more radical strategy given all the circumstances in which they found themselves. It is still true that their acceptance of the maternal mystique was to prove a dangerous enterprise and one that ultimately led them back to the home from which feminism was supposed to liberate them. [207]

And still, today, the dispute over the question of woman's assumed 'real' nature hounds debate on many important socialist/feminist issues, for example, the question of pornography and sexual oppression. Undoubtedly, the supposed 'nature of woman' implicit today may well be far from those domestic ideals of the social feminists of the 1880's, although an equivalent problem persists.

In some feminist attacks upon pornography and forms of sexual exploitation, a distinction is often operationalised which sees pornography as but an oppressive and abstracted fantasy world which obscures the potentiality of 'real' material human relationships yet, as Kathy Myers has recently argued,

The separation of the Imaginary and the material seems too simplistic an account of the way we live our lives. Ignoring the crucial position of systems of representation, whether images or language in our 'real' relations... There is a difference between criticising the social discourses which structure the form and content of the Imagination, and blaming fantasy and Imagination themselves ... This idea of a ['real', 'material' or] essential sex is not a particularly fruitful avenue of enquiry for feminists who wish to challenge dominant notions of the essentially feminine which, in the end, are found to rest upon biologicistic or universal criteria. [208]

The language of women's essential nature thus persists, often in unexpected places. Perhaps today, an alliance of feminists and puritans is unlikely but,

as Barbara Taylor comments towards the end of a review of Walkowitz's book, to retain the assumption of an essential female sexuality, viewed exclusively as the perpetual victim of male sexual coercion may well imply that.

like the female [C.D. Acts] repealers of the 1880's, we too will turn towards a politics of repression. How to avoid this. How to construct a sexual strategy which encompasses not only present oppression but future liberation - is the dilemma which faces all of us. [209]

As Taylor suggests, such issues involve "painful and complex contradictions", but it is, perhaps, to the merit of Donzelot that, alongside the study of the historical transformations of the 1880's, he has helped make these contradictions more explicit.

THE GENEALOGY OF SOCIAL POLICY

Donzelot's method is historical yet it is, as Foucault has suggested, a history of the present, not a history of the past. It is a history which excavates, from amongst the plentiful oversupply of past discourse and practice, the conditions of possibility of our modernity itself. Donzelot describes his own historical practice as: "a history of the social surface," having, "recourse to theory only insofar as theory generates the possibility of another narration of events." [210] The project that is outlined has important implications for the historical and political practice one might wish to adopt. For,

Stated simply, my objective here is little more than to militate for a usage of history different from that of speaking on its behalf or taking refuge in its meanders. It is time for us to ask history to tell us who we are instead of beating its sides once more in order to extract a final drop of prophetism, or using it as a shield on which to engrave, in philosophical letters, the maxims of an arrogant disdain. [211]

History, according to Donzelot, should neither be our spur to action nor our justification. Rather, our pursuit of history should alert us to the play of political forces in our present yet, in so doing, it neither pre-determines nor guarantees our political struggles.

In The Policing of Families, Donzelot attempts to raise these issues of

historical explanation in the course of an analysis which seeks to describe and explain the growth of the psychoanalytic and welfare complex which both surrounds and intervenes into families, populations and lives and which, in the present at least, is hung together upon the symbolic lynchpins of the social services and the Juvenile Court. [212] However, Donzelot's account begins by referring to the transformations (discussed earlier) which thrust mothers and children to the centre of a new politics of the family.

In these transformations, we encounter two principal techniques which, although employed to counteract similar kinds of evil, were distinguished by their application to different social classes. For the rich a new role was envisaged for the wife and mother. This new role derived from the new assemblage of relationships in which, in rich families, child-rearing was to take place. The patriarchal authority of the bourgeois family was loosening its grip upon its members, a certain 'protected liberation' was occurring. To state the transition encountered here in cultural terms, from the 'Angel in the House' to the 'working mother' no doubt exaggerates the shift – not least because it represents the transition from an ideal to a practice, as Freedman and Hellerstein point out. [213] But it is difficult to deny that the 19th century was witnessing a marked transformation in its ideological aspirations of middle class women, [214] a transformation reflected and fostered by middle class women's own social and political activities and aspirations. [215] As Patricia Branca has pointed out, this transformation was supported and accompanied by a burgeoning periodical literature advising the 'new domesticated woman' upon her correct place and function. [216]

For the middle class woman, the new tasks, her new role in the family, represented an opening of social and political opportunities, her chance to reassert her capacities. This demand (for demand is not too strong a term to use) came increasingly to assume an explicitly political form. Perhaps Harriet Martineau best synthesises the relationship of domestic and political factors in relation to women's social/political and ideological emancipation when she wrote, in 1859:

From that time [the emergence of a middle class] to this, the need and supply of female industry have gone on increasing, and latterly at an unparalleled rate, while our ideas, our language, and our arrangement have not altered in any corresponding degree. We go on talking as if it were still true that every woman is, or ought to be, supported by a father, brother or husband . . . A social organisation framed for a community of which half stayed at home, while the other half went out to work cannot answer the purposes of a society, of which one quarter remain at home while three quarters go out to work. [217]

Yet it remained. Initially at least, within the family that the middle-class women began to assert their wider responsibilities. Partly because this is what the domestic ideology most vociferously demanded, [218] partly out of necessity and also because it was the most accessible arena, the family and the home were the foremost targets of feminist criticism and action. The new roles of women entailed that past practices required reconsideration. Good social economy dictated that child care (the care of the offspring of the rich) was too important a task to be left to the lower classes such as wetnurses and servants whilst, from a moral and populationist standpoint, the high mortality rates and latent vices of middle class babies and children demanded, either the complete exclusion of the lower-class childminder from the middle class home or, at least, the renewed vigilance of the mother in their supervision. All in all, the middle class mother was to be mobilised into a substantially more active role: appeals to her supposed true nature and the importance of her duties were all part of the new pressure to ensure her performance. [219]

Although the middle decades of the 19th century witnessed a vast expansion in the number of families employing domestic servants, [220] the woman of the house was expected to take a more active lead in their supervision – as Branca has put it, "the middle-class woman was expected to handle them." [221] To this end, the mistress of the house was provided with the requisite advice both moral and medico-hygienic. And, in any event, the lessons and moralistic norms laid down here retained their force, the domestic injunction to mothers remained, such that Ehrenreich and English could write of the middle-class household in turn-of-the-century U.S.A. that, "the woman who could not afford, or who could not find, a servant was not to be pitied – she

had simply realised that this was a job which could no longer be left to her social inferiors." [222]

Nevertheless, in the first hints and murmurings of advice on questions of medicine, hygiene and domestic science (and on the supervision of servants) lie the origins of what Donzelot has described as the 'alliance' of mothers and doctors. Feminists have criticised this notion although, admittedly, it was a strange kind of alliance. [223]

As suggested above, the family was the one arena in which women could realistically achieve responsibility and authority.

The title of mistress of the household was a significant one for women because it represented a clear concession of a sphere of power which was specifically female ... If men denigrated household work as unimportant ... it was probably because men were jealous of this important authority which women exercised in the home. [224]

Davidoff has explored the fundamental cultural components of what passes for 'housework', and its ideological significance in Western society, emphasising the ideals of order and hygiene which were advocated in a blossoming literature during the last decades of the 19th century, and the new science and techniques by which it was to be performed. [225] Yet, by far the most central of these new techniques related to matters of health and social economy. Reference has already been made to the preoccupations concerning children and nursing which demanded a more active maternal role, for it is precisely in relation to the advancement of medical and hygienic norms that women, in accordance with a growing discipline of domestic family medicine, were most able to advance their responsibilities. As Donzelot has suggested, the outcome of these developments was the fostering of privileged alliance between the doctor and the mother that, in the family itself, reproduced the distance, the power relation, between the doctor and the woman (as nurse), such as was ordinarily found only in the hospital. Donzelot cites a 19th century hygienist who outlined the medical project thus,

My purpose is to teach women the art of domestic nursing ... It is my ambition to make women into accomplished nurses ... The role

of the mother and the doctor are, and must remain, clearly distinct. They should be complementary ... The one prepares and facilitates the other ... The doctor prescribes, the mother executes. [226]

A strange kind of alliance, but effective nevertheless. To the woman it offered the possibility of emancipation, a status, responsibilities and even later a profession; to the doctor it offered work, a clientele, access, authority, enhanced professional status and the reassurance of science. [227]

Feminists have criticised this notion of alliance, perhaps it is the notion of 'alliance' itself that they object to, with its connotations of complicity and determinate outcomes. But Donzelot's usage is different, he refers only to a strategic alliance of forces, a complex of relationships, needs, capacities and resources through which an outcome, the 'medicalised' family, was secured. The woman's 'alliance with the doctor was thus the outcome of the contingent but determinate relationships which occurred at a particular point in West-European History. Yet as Ehrenreich and English have described, in subsequent times and places equally potent 'alliances' have been struck, not simply between women and doctors, but also between women and chemists, women and 'scientific experts', women and psychologists, women and the poor, women and the advertising industry and, even, as Jean L'Esperance notes, between women and men. [228] None of the above are alliances of a contractual form merely, as Donzelot remarks, alliances of social forces: determinate, impersonal, but "profitable to both parties".

With the mother's help the doctor prevailed against the stubborn hegemony of that popular medicine of the old wives; and on the other hand, owing to the increased importance of maternal functions, he conceded a new power to the bourgeois woman in the domestic sphere ... by augmenting the civil authority of the mother, the doctor furnished her with a social status. It was the promotion of the woman as mother, educator and medical auxiliary that was to serve as a point of support for the main feminist currents of the 19th century. [229]

These relations can no more be considered as a complicit alliance than can the relationship of the working class to capital. Each are productive relations, each generates a further series of effects. Marxism, however, has sanctified only one of these sets of relations. It sees man's relation to

capital as containing the seeds of liberation: man's work in relation to capital is understood as exploitation but this relationship generates the conditions of its own transcendence. Yet, apparently, this is not so with women's relationship with systems of discipline, here Donzelot's critics seem to want to invoke a different frame of reference, and the social forces are credited with subjective vision and are judged culpable for their respective situations.

So much for the rich. For the poor a different series of techniques, again manifestations of the dictates of political economy, were derived. Ultimately, the measures involved a more intense supervision (or policing) of the poor – as a population – rather than as individuals. [230] Essentially, a more 'effective supervision' of the freedom of the working class was entailed, the dismantling of the traditional networks of obligations in the 'moral economy' or, to adopt a term that both bourgeois progressives, liberals and plebian radicals used, 'Old Corruption'. [231]

The debate on these questions seems to polarise one as either a progressive – in which case one condemns the earlier position of the poor, their political exclusion; and one welcomes the reforming force of historical change – or as the adherent of a historicist nostalgia – in which case one decries the sweeping away of the moral economy, the rural rights and the transition from a political domination to an ever more endemic economic exploitation. Yet it is never so simple. In the dialectical process of social change, the economic interests against 'Old Corruption' were only partially successful, the downfall of vested political privilege was begun, to the favour of a formal political egalitarianism and the rule of economic interests. [232] although, this would hardly have been the outcome that such as Paine, Cobbett and, later, the Chartists, would have advocated. [233]

The process of change in the period under discussion here serves as a sufficient reminder that social change is an outcome of both class and political struggles and a historical dialectic. History should not represent a simple search for the culpable but should seek to explain historical

development. We should not condemn the struggles of the plebian radicals for the gains they secured against 'Old Corruption' (just as we should not condemn the feminist philanthropists for their 'alliance' with doctors etc.) even though their actions and successes helped pave the way for the ideologies of 'freedom', 'egalitarianism' and political economy. Ideologies which came to dictate so much that was fundamental to political order in the crucial period of the formation of state and society and the rise of capitalism in the 19th century. [234]

The techniques, political practices and interventions involved in this process of change (techniques implicit in the operation to the three Acts: 1829 Metropolitan Police, 1832 Franchise, 1834 Poor Law), have been alluded to earlier, but to reiterate the arguments briefly, it will be remembered that they centred upon the development of a number of political and interventionary practices – each of which addressed a key component of the rising science of political economy. The new measures, their forms of action and 'intervention', were concerned with the material characteristics of a population: its labour, mobility, reproduction and morality, and together, under these headings, the political technology of political economy was formulated and the arena of 'governmentality' laid out. [235]

McCulloch gave these principles a certain coherence in 1825 when he, echoing Malthus, articulated the 'spirit' of the new politics.

The well-being of the labouring classes is, therefore, especially dependent upon the relation which they bear to capital. If they increase faster than it, their condition is deteriorated; and if they increase more slowly it is improved . . . we may be assured that every scheme for improving their condition that is not bottomed upon this principle, or which has not an increase in the relation of capital to population for its object, must be nugatory and ineffectual. . . [This shows] the paramount importance, with a view to the well-being of the community, of the increase of population being subordinate to that of capital. But how desirable soever, legislation can do but little to bring about this result. When government has secured the property and rights of individuals and has given that freedom to industry which is so essential, it has done nearly all it can to promote the increase of capital. If it interfere in industrial undertakings its proceedings will be productive of injury. [236]

Thus the labour and condition of the working class were to be given in direct

relation to the productivity of capital: the population 'ratio' was to be fixed. This was achieved in a number of ways.

Firstly, labour was incorporated in a method of production wherein the labourer was deprived of all properties and capacities bar his own labour power and in which the terms and conditions of his labour and the means for its appropriation were dictated entirely by capital. [237] These newer relations of production ensnared labour power (the working class) in a relationship whereby its own productive exertions contributed to its own immiseration. [238]

Secondly, labour mobility was restricted through the operation of the Laws of Settlement. While labour remained productive and profitable it was positively encouraged but as soon as it became a claim on the poor-rate then the worker and his family could be removed. M. E. Rose has suggested that political economists no doubt overstated the impact of the laws restricting labour mobility but they remained, nonetheless, a useful tool by which an economic exploitation of labour could be supported by laws that enabled capital to absolve itself of the responsibility for the upkeep of labour. In Kay and Mott's terms the Laws of Settlement were one of the vehicles of law and state by which the needs and capacities of labour were kept apart. [239]

Thirdly, mechanisms for the enhanced reproduction of labour were necessitated. The reproduction of labour, so crucial given the importance of the 'ratio of population' first elaborated by Malthus, is relevant in two related senses: the reproduction of active labour and sexual reproduction itself. Viewed economically, the reproduction of labour power in periods of depression, unemployment or unfortunate individual circumstances was the function of the Old Poor Law, systems of outdoor relief, the 'roundsman' system, the 'Speenhamland system' being perhaps the most developed of these arrangements. Questions of the reproduction of labour power remained of central importance to the Poor Law Commission and the subsequent 'system of 1834' as is evidenced by the Commissioners' intention to disallow all out-door relief and to replace it by the more punitive regime

of the workhouse. In which the reproduction of a particularly submissive, maleable, labour power was anticipated. In the eyes of contemporary radicals, the workhouse was to 'break-in' the working class to their poverty and to their future conditions of existence. It was to serve as a lesson to all of the penalties of indigence, impropriety and idleness - a sharp lesson in political economy and good habits. [240]

The concern about sexual reproduction relates to the perceived problems and 'fraudulent' malpractices of the Old Poor Law. Outdoor relief and the allegedly 'generous' allowances to women with children was widely seen as a subsidy to vice and a cause of poverty and degeneration (It was felt to upset that 'natural' relation that Malthusians and political economists held to pertain between capital and the labouring population) by encouraging the early formation of families and the rearing of large numbers of children. Although French and English practices with respect to the provision of financial support to families and children begin to part company during the 19th century, a similar 'disapproval' at the supposedly 'fraudulent' practices of the French and English working classes seems manifest in the early 19th century. [241] These 'fraudulent practices' were not only decried and condemned on moral grounds (and here we encounter the fourth aspect of population management) but also on grounds of social economy. The high death-rate that reformers saw associated with the 'immoral' practices of the working class was seen as wasteful and, in short, bad social economy. [242]

Thus, the restoration of marriage, the domestication of working-class women and the supervision of the reproduction of the working class family, went hand in hand as a great remoralisation of the working class. And, as the French Academy of Moral and Political Science recognised in 1847:

The task at hand is not only a social necessity and a highly moral endeavour; it is also an excellent piece of business, an obvious and immense saving for the state. [243]

This strategy of 'remoralisation' was to be finally sealed in a projected 'domestication of women' of the working classes - a strategy which, as

already described, was begun in the middle-class household and which now, the reformers hoped, would allow its beneficent effects to percolate down into the depths of the working-class household. As Prochaska has suggested,

The protection of the family was the cornerstone of 19th century social policy: within the family the role of wife and mother was thought crucial. 'Reform the mothers and you begin at the root of our social evils' remarked a report from a female visiting charity in Westminster. [244]

In this nascent strategy of 'remoralisation', the confluence of promotional feminism, moralising philanthropy and market forces elevated the 'woman as mother' ideal as a privileged instrument for the salvation of the working class. [245] Around and within the working-class household and community were constructed all the elements of self-supervision and policing (incorporation). As described at an earlier point, this strategy of breaking down the ghettos of working class freedom was, ultimately, to transform society into an administrable arena. In these ways, and in accord with the practical requirements of a political economy that demanded only that the workforce passively sell its labour power on the terms given and when requested, the supervised 'freedom' of the working class was constructed. [246]

This catalogue of developments affecting both rich and poor clearly have a common focus in the fostering of a certain kind of family life, the reification (though at the same time, a process which rendered it all the more problematic) of child-rearing. The net-effect of these developments was the restricting of absolute family rights. In a certain sense, parental authority became 'accountable'. This was explicit, and increasingly so, in the working class but, also, transformations within the economy and labour market and the growing domestic responsibilities of women, led to the dissipation of the exclusive claims of paternal authority in the bourgeois family. As an agency of inheritance and alliance, the bourgeois family gradually became decentred in the rise of a capitalist money economy and the growing executive power of the state. [247]

To defenders of the conservative and patriarchal order of things, a social revolution seemed immanent — the Married Women's Property Bill was a suitably symbolic measure of the changes being rung in respect of the traditional family. In the House of Commons it was asserted that the Bill would, "effect an entire revolution in the social status of husband and wife ... and would work like a revolution in regard to the law of property." [248]

For rich and poor alike, as Donzelot has suggested, the old order, the patriarchy of the family, was usurped by a patriarchy of the state. [249] Donzelot poses the transition dramatically and, in so doing, gives to it a particular weight and significance. Yet by referring, principally, to the emergence of social practices he appears to give them the character of an autonomous emergence — whereas on this question Ehrenreich and English are rather more guarded. Unlike Donzelot, Ehrenreich and English claim,

We do not use the word 'patriarchy' to mean male dominance in general. We use 'patriarchy' to refer to a specific historical organisation of family and social life. So when we talk about the 'decline of patriarchy' we are by no means suggesting that male dominance has declined, only that it has taken a different historical form. [250]

As has been indicated already, to be consistent, the account of the changing social practices which coalesced in a patriarchy of the state would have to be located in an account of the emergence of the capitalist mode of production, the changing pattern of social relations accompanying these new relations of production and the foundation of the modern state. For, as Rosalind Coward has confirmed, even in areas such as the economy, and other arenas carefully described as 'social', sexual definitions are frequently implicated, for, "there is no way in which any study of the economic relations of contemporary society could afford to neglect the sexual division and sexual organisation which provides its logic." [251]

However, in the organisation of the capitalist economy, the state supplied a valuable component in terms of its capacity for population management. Thus

the attempts to police working-class morality were given coherence and direction by the state, ultimately to be organised directly through the state. As Kay and Mott assert (after Lenin), "the state is the wedge dividing the needs and capacities of labour and the indispensable condition for labour power to be bought and sold as a commodity." [252] 'Policing', however, is exactly the term to describe the disciplinary organisation of social and moral practices (the organisation of needs, lifestyles, consumption patterns, beliefs and aspirations) by which the class of workers were forced to accept the conditions and rewards of a capitalist organisation of industry.

Donzelot adopts a similar usage of the notion of 'policing' by which he refers to the range of practices by which the quality of the population and the strength of the nation is enhanced. For example the Benthamite 'felicific calculus' would, for Donzelot, represent the instrument and mechanism of a 'social police' for it embodied the principle that legislation be geared to the promotion of happiness and security. Policing, in this sense is a much older usage of the term than that to which we are currently accustomed. Many of these older senses of the concept of policing have been elaborated by Kneyemer, who refers to policing as a regulative or administrative activity, the primary objectives of which are 'order' and happiness. [253] As Pasquino has put it,

what police regulations regulate, or try to regulate, or purport to regulate, is everything which in the life of this society goes unregulated, everything of which one can say ... that it lacks order or form ... This is what the science of police is all about, a great labour of formation of the social body. [254]

The techniques which make up the 'science of police' are those diffuse and varied practices which have laid the basis of the social sector itself. These techniques are interventionary, ordering and manipulating, the population as a whole being the object of their functioning. Donzelot specifies three different techniques which formed the basis of this policing of the population throughout the 19th century (and to a certain extent, since then) and which, in their own ways, related to both rich and poor. Deployed about the family form, these techniques involved: morallisation, normalisation and contract and tutelage.

(A) Moralisation involved a number of complementary components: the work ethic, savings banks, the means-test (and workhouse test), in sum, the whole series of measures that the 19th century arranged against the vices of indigence and idleness which were associated with the phenomenon of pauperism. A more profound transformation can be detected beneath these regulatory devices, however. For none other than a societal redefinition of poverty and a reordering of perceptions of the social and political order was taking place. [255] This reconceptualisation involved a new series of political justifications of social hierarchy and a marked distortion in socio-political explanations of the causality of poverty. [256]

In turn, this distortion provided the basis for a redefinition of the 'real' needs of the population (needs for discipline and control, as well as subsistence), needs defined in relation to the prevailing social order and powerful interests rather than in terms of the optimum conditions for collective human existence. [257] In this distortion of historical possibilities the new politics of needs, mentioned earlier, was inaugurated. [258] In recent years, this 'new politics' has intensified to the status of a science. In the form of social insurance the state apparatuses addressed the questions of needs and integration coterminously in a form which allowed political questions to be resolved almost as if by administrative fiat. [259]

Perhaps inevitably, the techniques by which a moralisation of the population was secured operated in close association with the state and those charitable agencies seeking the rehabilitation of the poorest. The crucial point to grasp, however, about the technique of moralisation, is that it was, in essence, a feature of class politics and economic relations in a capitalist society, rather than a specifically social work oriented activity. Just as wives and mothers were, during the 19th century, 'indoctrinated' with the ideology of domestic responsibilities, the technique of moralisation was most effective insofar as the aspirations of the working classes were transformed and synthesised with the prevailing relations of production, the market economy and certain lifestyles and standards of consumption accessible to the working classes. We have already seen how the technique of moralisation rested

upon a fundamental reversal in the way in which poverty was explained as a social phenomenon (i.e. that poverty was now understood as a result of faulty character than a feature of a certain social order) but, now, moralisation endorsed this later perception by accommodating the working class and their aspirations to the new industrial capitalist order, its hierarchy and its conditions of existence. It is in this sense that the technique of moralisation assumes its fullest meanings and it is in this light that one can understand the importance of the politics of incorporation and hierarchy, the significance of the 'labour aristocracy'. In the latter part of the 19th century, within the working class. [260]

(B) Normalisation. In an earlier section, certain of the macro-sociological aspects of normalisation have been discussed. Briefly, these aspects relate to the tasks of population management and the distribution of population characteristics around a mean – a feature which, in association with the growing science of statistics in the 19th century, added an elementary predictive capacity to political economy and 'governance' at the same time as it supplied the developing state administration with a growing body of information on the 'condition of the people'. [261]

Here, however, we are more concerned with the micro-sociological aspects of normalisation, questions in which the securing of popular adherence to social norms, or socialisation, was paramount. The instrument of this objective of normalisation, which took on a particular importance in relation to the family, was the school. With the authority of the state behind it (eventually), the school was able to divest the working class parent of the exclusive responsibility for the raising of children. [262] Yet, the addition of this new, ulterior, task entailed a significant redefinition in the objectives of schooling.

The importance of attention to the minutiae of conduct lay in the need for a mechanism which would form habits of attention and application, which would make possible the formation of true principles ... The school was now defined as a machinery of moral training rather than as an engine of instruction... However, whether the emphasis is placed upon these desirable habits or upon true principles, the benefits of the schools were thought to be 'not confined to the succession of those who are preserved and educated in the schools;

[rather] the effects may be traced as a salutary stream, pervading every part of the parish, extending ultimately throughout the social body.' [263]

Several possibilities presented themselves within the range of practices that the new educative system performed. The exclusive power of the patriarchal family system could be broken and the final disruption of the internalised family economy ensured. [264] whilst the blocks of working class mutuality and dependance could be upset by the (temporary) removal of the class's youngest members and, lastly, and perhaps most important of all, the school often embodied a massive injunction to morality, social promotion and aspirations. All this, of course, helps explain the zeal that the reformers had for their new institution. That the expansion of working class education was so delayed in Britain bears witness to the late realisation, by reformers, of the possibilities of such an institution and the political struggle that such an expansion of state social intervention aroused. However, the first institutional forms this education took (factory schools, apprenticeships [265]), and the imperialist and industrial concerns that sustained the major Education Act of 1870, helps give some perspective to the theme of the school as agent of moralisation – in accordance with the dictates of capitalist relations of production. [266] And, for example, despite the climate of opinion in favour of moral reform through the vehicle of education in the later decades of the 19th century, Fraser sums up the process of educational development throughout the century as follows:

It was wholly typical of the way social policy developed in the ... 19th century, that parliament's concern for education should originate not from some overall general conviction about the role of state education but as a pragmatic response to [a number of] deficiencies. [267]

As Donzelot describes it, the pressure of educational change was indeed a great liberator. In intervening in the families and communities of the working class, the school tended to loosen the territorial 'moorings' which, in the past, had bound generations and communities together. In this sense, education was one of the mechanisms by which a settled population was gradually transformed into the active, mobile workforce of industrial capitalism. [268] Yet, above all else, a more strategic victory had been registered. In the dislocation of generations and communities, educational

reform assisted where capitalist political economy had begun. In the shattering of the moral economy and old customs, networks of solidarity and mutual interdependence, shattered also, were the bases of a primitive 'socialism'.

Workers and apprentices [were left] free to lodge in furnished rooms, eat in cheap restaurants, stop work and start up again as they please, change occupations, cities, countries. These were the 'pre-industrial' masses who produced the great revolts of the 19th century: they created the working class theory of association ... It was their political defeat that was sounded by the crushing of the [Paris] Commune. [269]

(C) Contract and Tutelage centres upon two poles of intervention into families: the judicial and the philanthropic. The former is concerned with the prickly question of parental authority and its transfer, where necessary, to more appropriate guardians, the latter is more directly concerned with supervision and the detection of signs of trouble upon which judicial authority might properly intervene. In this sense the two poles of intervention each provided the means of relay for one another (and continue to do so to this day). Philanthropy required the force of law with which to confront parental authority (especially where philanthropy had become detached from the provision of material forms of relief) whilst judicial authority required a body of knowledge upon which to found its interventions. [270] In either case the object of their intervention was essentially the same, the child in danger or the dangerous child.

The combination of the judicial and the philanthropic was an effective way of securing an attachment between family and state without undermining all familial authority and responsibilities, without the excessive cost of a permanent surveillance and without undermining the sanctity of the two separate activities. Thus, the authority of law was not compromised by its intervention into all and sundry petty family disputes, whilst the casework and therapy orientation allowed flexibility and a case-centred approach. One of the more significant effects of this separation, however, has been the perpetuation of the myth that there exists a distinction between welfare and control. Although, in 1882, C. S. Loch recognised no such distinction, sociology has tended to perpetuate the illusion. As Loch

wrote in the Charity Organisation Society handbook, 'How to Help in Cases of Distress', "there must be a quality of sternness in the charity that is to stamp out vice." [271]

Nevertheless, within the confines of the law and the activities of philanthropic agencies, and fully in accord with the principles of 'contract and tutelage', it became possible for the state to use the family. This was so because, although the state's disciplinary apparatuses had deeply affected many of the fundamental internal family relationships, the state and philanthropic agencies, at this time, continued to exert their control primarily from the outside. [272] At least, this was so until an actual intervention, or phase of supervision, took place, at which point supervision descended upon the family itself.

Leaning on one another for support, the state norm and philanthropic moralisation obliged the family to retain and supervise its children if it did not wish to become an object of surveillance and disciplinary measures in its own right. [273]

In later years, as will be demonstrated, Beveridge was to turn this principle of the supervision of working class families into a universal logic of control. [274]

In this way, a particular range of family forms sponsored by the practices of state and political economy became the virtual 'missionary field' of 'social' surveillance, and the family became, "the nexus of nerve endings of a machinery that was exterior to it." [275] But at all times, this process occurred under the guise of increasing familial autonomy and freedom. It is not too difficult to understand this process, the placement of the family under complementary systems of economic and moral tutelage provided specific avenues by which families could enhance their position, secure social and political advantages and, at each step, believe their 'promotion' was taking them further and further away from the restraints of the state, that each step was a progression beyond the state, a progress towards autonomy.

The coupling of political economy, law and morality formed the social sector around families and provided the incentives and sanctions amongst which the family arranged itself. Yet the key to these incentives and sanctions, and the central issue in terms of the future of family policy, was the fact that the 'social' sector was powerful because it was able to usurp and wield family authority rather than simply resting upon family authority. The social practices were successful insofar as they were able to relate external interventions with potential conflicts and differentiated aspirations within the family – as well as being attached to a whole host of political strategies within which the family was implicated. [276] Within the social sector, the family was given an apparently privileged location and parents were rewarded with a temporary and always revokable guardianship of their offspring. [277]

However, rather than undermine the political economy of the 19th century 'liberal interventionary state', by either an excessive transfer of material resources to the household of the poor or by a costly usurpation of all of the family's responsibilities, these techniques, under the banner of an organisation of philanthropy, were to use the family. At the point of intersection of the three philanthropic techniques elaborated above, there appeared the same target: the child in danger and the dangerous child, at the same time, both victim and predator of hygienic norms and economic ethics. [278] Philanthropy sought, on the one hand, to impose a sound social economy (a political economy of population) and, on the other hand, to cultivate an economy of the body itself which attempted to resist the wasteful dictates of bourgeois refinement and overcome the awful consequences of vicious habits. That is, the 19th century social economy of the body sought to counteract the attitudes and practices which saw in the body nothing more than a simple pleasure principle or the mere vehicle of 'unbridled passions'. [279] Both of these aspects of the discourse of social economy sought to impose the restraint of economy, their force deriving from the connections they established between social and medical domains and the powerful relations they formed between, "the production of wealth and the treatment of the body." [280]

These early developments mark the first stage in a process whereby the family was transformed from an institution geared to the management of externalities: liaisons, inheritance and property transmission, honour and dependencies, into a unit concerned with the quality of its internal relationships - a supervised arena for education, socialisation and consumption. According to Donzelot, this transition was only accomplished when philanthropy and education, having helped form the link between poor and bourgeois families, centred upon the state-mother-child axis, became subsumed under the social state of the 20th century. [281]

The role of the social state was, and remains, one of ensuring the most effective protective exploitation of bodies, individuals, families, groups and populations. In relation to the family, this was made possible by the family's insertion within a tutelary (or wardship) complex consisting of judicial, psychiatric, philanthropic and educational disciplines and practices.

The central component of this 'complex' is the practice of 'social investigation', whilst its major innovations rest upon the way in which it synthesised the activities of 'welfare and control' into a single activity [282] (for example, the juvenile court, social work, even unemployment review), combined inquisitorial and diagnostic techniques (social enquiry reports, psychiatry and even means-tests) and, eventually, evolved the means for relating (familial - but also individual) desires to social norms (psychoanalysis, client-centred therapy, debt counselling, marriage guidance). In relation to the family, these techniques always focussed upon a form of social pathology (educational handicap, the maladjusted child, truancy and delinquency) that consistently reproduced itself within the fractured relationships of the sub-standard or pathogenic family. [283]

The child, therefore, became the symptom of trouble in the family. Standing between the school and the family, the child enabled the influence of the state and social obligations to be relayed to the family. [284] The legal and/or moral division of legitimate or illegitimate families was abolished in favour of an altogether more relative and adaptable series of norms, the

state only intervening when these were insufficiently adhered to. Thus the full implications of the techniques of normalisation, moralisation and contract and tutelage came together in the state's practice of intervention for, henceforth, "all families who issue demands for placements, financial grants and so forth, will be likely candidates for tutelage." [285]

In this way psychoanalysis, as one of the central components of the tutelary complex of the emerging welfare state (although typically in its more popular, vulgarised forms as social casework [286]), interpreted the multifarious actions of those (usually poor) families which, caught at the bottom of the web of incentives and sanctions distributed throughout society, failed to adopt the satisfactory postures of contentment, deference and industry.

Psychoanalysis became a major component of a familialist politics that supported a whole gamut of techniques offering the promise of finding a means for the successful management of relational family life. [287] Yet, even so, the innovations of psychoanalytic therapy had problematic implications for the future of the modern 'liberated' family for, as Rosalind Coward suggests, ultimately

psychoanalysis has reinforced the significance of the biological family as repository of individual emotions, instincts and psychology ... Rather than generating a radical interrogation of sexuality, the legacy of psychoanalysis has been a long and sterile debate ... about the human family ... It was ultimately this commitment which won. Psychoanalysis emerged with an apparently reactionary commitment to the universality of the nuclear family. [288]

Within this commitment to the family, psychoanalysis provided not simply a means for securing a form of 'normalcy' but rather, more accurately, a relational means for securing a subject's acceptance of social destiny. The key to the tutelary techniques, viewed as a whole, rested upon their ability to prevent the family unnecessarily restricting its children, without, at the same time, disabling the family to the extent that it could no longer be articulated within any further socio-political and moral (rearmament) programmes. [289]

It is this conception of the tutelary apparatuses and practices that we find in Donzelot's work. Tutelage represents, for Donzelot, the first stage of the, "soft underbelly of a corrective system". neither community 'control' nor 'decarceration', tutelage is something far more pre-emptive, relative and fluctuating: the sanctioning of social norms and the renegotiation of parental desires. [290]

Here, once again, we encounter an issue that has come to be seen as a key aspect of the debate on the 19th century working class, namely, Incorporation. It is unnecessary to rehearse this whole debate here, but it is important to refer to it in order to situate adequately the disciplinary processes of state 'social' policy (to which Donzelot has referred) and the ways in which they both reflect and draw upon, restrain and realign, individual aspirations and class interests. [291] The marxist perspective would insist upon class divisions and divergent class interests emerging first within the relations of production and, concomitantly, the market. [292] And, indeed, there have been sufficient corroborations of this thesis, drawing upon accounts of the 'labour aristocracy' and 'embourgeoisement' to allow the hypothesis that it is here that the fundamental class divisions and interests are laid down. [293] Yet, as has been argued earlier, this is not the end of the question for, in an effort to attach an account of social relations and interests to a study of the formation of class divisions, many writers have employed concepts such as 'ideological hegemony', 'reformism' and even 'false consciousness' in order to explain the differentiation in perceptions of class interests. [294]

Although P. Joyce has attacked the concepts of 'hegemony' and 'labour aristocracy' in their applications to the study of the 19th century working class [295] by pointing to the complexity of ideological relations within the working class and the tradition of political action out of which 'reformism' emerged he, of necessity, acknowledges the dialectical processes of accommodation, acceptance and resignation which have fractured classes and political struggles. These lines of dislocation were introduced by differing perceptions of interests, social and promotional aspirations, political

objectives, patterns of consumption, religious injunctions, moral and philanthropic initiatives and practices, and the range of benefits and sanctions encapsulated in the state's social legislation as applied to the working class.

One does not over-extend an analysis of capitalism, social divisions and incorporation simply by positing incorporation as an effect of a dense fabric of relations of promotion, struggle and exclusion. To employ the concept in this way is not to dehistoricise or dematerialise patterns of class formation but, rather, to situate them more fully in the context of state and capital and class relations. [296]

Thus, when Donzelot speaks of social norms and the renegotiation of desires in the context of the family and class interests, this process of accommodation must be seen within the legacy of promotional incentives and sanctions that had their origins elsewhere. That the exercise of rehabilitative philanthropy and tutelary intervention came to promote, restrain or guide, familial aspirations (aspirations around work and the market), has to be seen as the first 'official' alignment of social relations around economic imperatives – the first form of the 'social market'. By introducing us to the fractured and relational series of possibilities and promotions, lines of alliance with social institutions and preventative mechanisms, disciplinary interventions and sanctions, Donzelot has begun to show us how the social institutions could be harnessed to a political strategy, how the 'priority' of economic identifications (the pre-emptive nature of social policies) of 'the social' could be structured. [297]

Throughout these processes, the family, as a fundamental social institution, became more and more coextensive with the disciplinary apparatuses that surrounded it – just as familialist political discourses were seeking to attune bourgeois images of happy families to personal desires. [298] Super-imposed upon the social economy that dictated policy for the poor and the economy of bodies that both re-ordered the practices of child care and confronted the patterns of fashionable indulgence amongst the rich, the social techniques

applied to individuals and families enabled a series of complementary objectives to be achieved through a diverse range of institutions. The state, the market, philanthropy and the family were all enlisted in the reproduction of social divisions. These institutional relations served as the site for the application of 'social' techniques, all of which had, as their objective, the adherence of social groups to the political structures of the class divided society of which they were a part.

From this account, it should be clear why the discourse of the 'happy family' holds such a central and important place in the socio-political arrangement of social democracy. [299] The 'happy family' theme rests upon the petty-bourgeois, promotional 'advanced liberal family' which itself is based upon the alliance of 'familialist politics' with psychoanalysis in the first half of the 20th century. According to Donzelot, the family structure brought into being in this configuration of forces is responsible for the relative loosening of the family's stranglehold upon women and children and is a vital component in the tenability of contemporary feminism. [300]

Although the loosening of the burden of the patriarchal family may offer a number of possibilities for the development of feminist politics in areas beyond the family, it is not immediately clear, from Donzelot's account, how this new 'freedom for women' avoids laying the foundation of another oppressive and institutionally sexist ideology. [301]

Donzelot's failure to consider adequately the relationship between women, the family and the labour market is a source of problems here. [302] This failure perhaps results in an over-emphasis on the nature and extent of women's liberation from the family structure while ignoring, in turn, the class-divided and refracted nature of this phenomenon. [303]

Nevertheless, it is clear that the description Donzelot offers of this 'advanced liberal family', hedged about by welfare counselling and therapeutic practices, accords very closely with the bourgeois/social democratic imagery of the nuclear family and the domesticated wife. [304] Moreover, we are able

to grasp from this account: (1) the strategic coherence of the various practices operationalised under this psychoanalytic and welfare complex. (2) the manner in which certain family forms are both rendered possible and then reinforced and, finally, (3) the implications of these family forms and institutional practices for the different family members and the population at large.

Social policy is often regarded as being ambivalent about, or having contradictory implications for the family and for women within it. [305] Yet it is one of Donzelot's objectives to show that to suggest this is to place too strong a reliance upon the intentions and objectives of policy makers themselves, or to concentrate too immediately upon the disparate results of policy. On the contrary, for Donzelot, the tutelary complex amounts to a highly effective political arrangement securing the maximum adherence of individuals and families to society through the protective exploitation of a range of family forms and the relative privileging and penalising of their personnel. It is this question of the political implications of the 'psy' complex and the welfare apparatus and its effects upon the viability of the modern family, that preoccupied Donzelot at the beginning of his work. Having charted the genealogy of the psychoanalytic and welfare complex, surrounding and directing the family, he is able to return to this question. He asks, "This crisis of the family, together with this proliferation of 'psy' activities are themselves the solution to what problem?" [306]

The answer provided to this question has little to do with the family itself, but concerns the maintenance and management of political stability in a class society. In such a society, in its advanced liberal form, immorality, vice and pathology are floated free from bourgeois standards and proletarian classes and are dissolved in a myriad of relational negotiations wherein the family reconciles its image with its consuming power. [307] family arrangements are ratified and valorised but at the cost of most of the family's power. The liberal family becomes more a reference point than a source of power, increasingly the tool of state and market alike. The success of the 'psy' complex rests upon the way it has helped to depoliticise the conflict of

classes, of individuals, of families and of populations, in so doing, ensuring the engineering of their adherence to socio-economic structures. [308]

For Donzelot, this feature reveals the political effect of the state's massive investment in 'social technology', and the coherence and complementarity of the political projects usually associated with Freud and Keynes. The former, who sought to assist people towards solutions for the 'realities' they are offered and the latter, who sought to find the means by which the social and the economic sectors of society could be functionally related. Freudianism and psychoanalysis offered a, "flexible mechanism of adjustment of the juridical sphere and the medical sphere," which combined norms and social sanctions – whilst avoiding the boundary problems of each. [309] In this way it would be possible to use the family for social regulation by attaching all dreams and ambitions to it yet deriving all frustrations and maladjustments from it.

Keynesianism was charged with a similarly relational task. How could production and consumption and social subsidies be aligned, thus making it possible to integrate the social sphere into the operation of the market, without the need either for a major political upheaval or a fundamental reorientation of industry and commerce. As Donzelot has put it.

In short, [Keynes] made it possible to integrate the social sphere into the general regulation of the market, providing Western societies with the means of avoiding the alternative of anarchic liberalism or authoritarian centralism. [310]

By these two brief examples, derived from the complementary works of Freud and Keynes, it can be seen that the social sector was now rendered fully operational. At last, a capitalist ordering of the social – society and its principles of cohesion, its character and ideals – had been inaugurated as the guiding principle of state policy and population management. By this time, the social regime had become thoroughly accommodated to capitalist political economy, the earliest form that the social had taken, namely, 'welfare' came, as 'welfare capitalism', to testify to the final absorption of 'social politics' into capitalist political economy. This, indeed, represents the

most significant long-term development. [311]

At the risk of overstating the case, one might say that capitalist political economy, in achieving the absorption of social relations and the discourse, practices and ideology of 'the social' itself within capitalist relations of production, distribution and consumption, had achieved that which 'politics' had long been unable to. This is understandable, but a political commitment to a democratic capitalist citizenship, based upon this economic accommodation of social relations, was to emerge later. Criteria of productivity, profitability and 'growth' were its principles, humanisation its mechanism, and legitimacy its political currency. Perhaps in Habermas and his invention of a new political currency of 'legitimacy', we have our new Keynes. [312]

NOTES TO CHAPTER 2 : THE EMERGENCE OF DISCIPLINE AND THE FOUNDATIONS OF THE SOCIAL STATE.

1. J. Donzelot. 'Preface to the English Edition of The Policing of Families' (1980) page xxvii.
2. See Kay and Mott. Political Order and the Law of Labour. Macmillan. (1982) page 86. For Kay and Mott, the foundation of society and its active subject, the population, are directly related to the crystallisation of political order in the state. This constitution of the state is precisely the device by which a formal equivalence of persons (the population) is established and thus, the 'wider law of labour', by which the whole working class is rendered as labour power, laid down. See Kay and Mott, pages 85-86, and also B. Edelman, 'The Legalisation of the Working Class', Economy and Society, Vol. 9, No. 1, (1980) and F. Hearn, Domination, Legitimation and Resistance: The Incorporation of the 19th Century English Working Class, (1978).
3. It was precisely this form of order (security) that was encouraged by Adam Smith in his Lectures on Justice, Police, Revenue and Arms. As Kay and Mott show (page 127), Smith, "...defined police as 'civil policy in relation to the regulation of the interior parts of government, which were: first, cleanliness and security; and second, cheapness and plenty.' Under this second head a specifically economic concept of comfort emerged as the production of wealth. Smith then introduced his famous discussion of the division of labour, which became the starting point of the Wealth of Nations and concluded: "The establishment of commerce is the best police." As Kay and Mott comment, such remarks reveal, "the great part played by the science of police in the birth of classical political economy." (Ibid.)
For further corroboration of this theme notice the employment of the category of 'police' in T. Cooper's Lectures on The Elements of Political Economy, (1830), and Joseph Chitty's elaborations of 'police regulations' in his three-volume work on the English Law, A Practical

Treatise on the Criminal Law, London. (1816). Recent articles analysing these earlier conceptions of the notion 'police' which might usefully be referred to include, Pasquino, (1978 and 1980), Procacci, (1978) and Kneyemer's exhaustive study of the applications of the notion of police in European legal history, 'Polizei' in Economy and Society, Vol. 9, No. 2. (1980).

For Kay and Mott, the 'locus of political order' resided in the system of political economy and was expressed through the unitary state which guaranteed the conditions for the reproduction of labour power - the population. "Population as a fully developed category not only presupposes a universe of equivalent individuals but also a universal object to which they are related, namely the state ... As the category of population is explored in depth it becomes clear that it is the first category of political order." (Kay and Mott, pages 90 and 86.) For a further elaboration of the notion of 'police regulation' in the emerging 'science' of political economy, particularly in the work of Adam Smith, see K. Haakonssen, The Science of a Legislator, Cambridge Univ. Press, (1981) and note 253, below.

4. G. Deleuze, Foreword to Donzelot 1980, 'The Rise of the Social', (1980) pages xiv-xvi.
5. D. Meuret, 'Political Economy and the Legitimation of the State: A Detour via the 18th Century', Ideology and Consciousness, No.9, Winter, (1981-2).
6. The abstract reconciliation effected through 'the social' consists in attaching to the working class experience and condition of 'absolute poverty' (cf. Marx, Grundrisse, pages 295-296) a limited means of subsistence (provisions to meet 'needs') and the promise of greater satisfactions (promotional aspirations, demands and consumption). Yet because these satisfactions and forms of subsistence must conform to the 'wider law of labour', which demands that the working class deliver its labour power regularly to capital, it follows that the organisation of subsistence must also be disciplinary: it must conform to the capitalist relations of production, indeed, it must supplement the discipline of the labour market. The separation of the needs and capacities that 'the social' must appear to reconcile is organised through the state. As Kay and Mott put it, "the state in the regime of intensified property develops into a class state as the wedge that separates the needs and capacities of labour, and the wedge that keeps them apart... In this way, Lenin affirmed what was always

Implicit in Marx's writings: that the state is the wedge dividing the needs and capacities of labour and the indispensable condition for labour power to be bought and sold as a commodity." (Kay and Mott, pages 67 and 70.) Further, to the present day, this isolation of labour power as a commodity, "provides the possibility for the labour contract to disregard subsistence. The separation of needs from capacities in this contract has in turn provided the practical basis for the splitting of working class struggle, and made the way for policy." (Kay and Mott, page 148.)

Thus, the social is a dialectical relation, and its role is two-fold. On the one hand, it permits a limited formal satisfaction and reconciliation of the needs and capacities of the working class yet, on the other hand, by straddling that very division as an abstract 'social' interest – in effect confirming the existence of the division and then naturalising and obscuring it – the social prevents an actual reconciliation of the needs and capacities of labour and perpetuates the divisive conditions of contemporary class struggle. That it need not be like this, is perhaps self-evident. But the contemporary predicament derives from the articulation of the social onto the prerogatives and priorities of the capitalist system rather than its mobilisation as a fundamental critique of that system.

7. See P. Pasquino, 'Introduction to Lorenz Von Stein', and K. H. Kastner, 'From the Social Question to the Social State', Economy and Society, Vol. 10, No. 1, (1981). See also Melossi, (1981) and Pasquino, (1978).
8. Pasquino, (1981) op. cit.
9. Melossi, (1981) op. cit.
10. Pasquino, (1981), Kastner, (1981), L. Von Stein, A History of the Social Movement In France: 1790-1850, (1850) Translated, edited and Introduced by K. Mengelberg, (1963).
11. See Kay and Mott, (1982) pages 98-99, 118-120. These authors discuss the 'transition' much beloved of historians and sociologists of law, identified by Sir Henry Maine, namely the legal transition 'from status to contract'. Maine posed this transition as a description of the great 'formal-legal levelling' of the previous two centuries, the dismantling of the mercantilist trading corporations, the guilds and the restraints on trade much bemoaned by the newer breed of political economists. Sir Henry Maine, Ancient Law, Dent, (1917) pages 99-100, In V. Aubert, Sociology of Law, Penguin, (1977). See also,

Tigar and Levy, Law and the Rise of Capitalism, Monthly Review Press, (1977); pages 211, 285-288.

In describing this dismantling of the system of privileges, Kay and Mott have drawn attention to the action of the state in ensuring an equivalence of subjects in accordance with the state's necessity of securing the free interaction of commodities, particularly labour and capital. Yet for Kay and Mott, the immanence of law in securing the equivalence of labour and capital as commodities and enforcing their relationship was only fully constituted in the era of 'policy', when the relationship of state and economy became one of mutual legitimation, and the constitutional fiction of the independence of law could be discarded finally. For Kay and Mott, "there is no real distinction between law and administration. The remarkable growth of administrative law in recent years has effected a unity in practice that has been denied in theory." (page 98) See also, T. Prosser, 'Towards a Critical Public Law', (1982).

12. This naturalistic orientation derived from the philosophy of 'Natural Law' deriving, in modern times at least, from the work of Locke, as appropriated by the political economists in their doctrine of the 'natural economy'. (See Kay and Mott, (1982) pages 46-47, 52-53, 84 - they suggest that even in the work of Ricardo the view that property derived ultimately from the 'state of nature' still prevailed.) As Tribe, Genealogies of Capitalism, RKP, (1981) page 15, has argued, this 'natural economy' was certainly not equivalent with feudalism, yet like the fiction of 'natural law' the notion of a 'natural economy' was equally spurious. Nevertheless, it had a strong ideological/political effect: for one, it permitted a certain orientation of political economy and state administration; favoured the production of wealth and subordinated social relations to criteria of profitability - subsequent 'interventions' were bound by this naturalistic legacy in the way they approached the reform of society. See also, Meuret, (1982) op. cit. and K. Tribe, Land, Labour and Economic Discourse, RKP, (1978).

13. Kay and Mott rightly point out that it was in the alliance between psychology and demography and in the operation of its practical instrument, the IQ test, that the final naturalisation of the population category was achieved. The crucial point about the category is that it effected, simultaneously, a distribution and also a division of the population. As a division of aptitudes and characteristics, it naturalised an apparent hierarchy of abilities within the population

whilst, in distinguishing and dividing the population it legitimated a range of policies which, in seeking to maintain the compulsion of the labour-market for the working class, pursued the same effect. Kay and Mott are, perhaps, correct to claim that this procedure of division reached its fullest expression, "at the very time when the population category was implemented through the classification of its members on the employment - unemployment axis." (page 92) That is, in the years around the end of the 19th century and the beginning of the 20th. (N. Rose, 1979) Thus in this period, we have a clear statement of the naturalisation of the population, its internal division around the prerogatives of the labour market, as well as of the role of the state in this process.

Clearly, these were but the final stages of a process by which a population was attached to the economy, the establishment of a labour market as the natural (and national) expression of this. There were many instances of statistical investigation of the social body (perceived as a natural entity) to encourage statesmen, administrators and philanthropists in the belief that the characteristics and tendencies of populations were natural and law-given, were amenable to classification and were susceptible to corrective treatment. See J. M. Eyler, Victorian Social Medicine; John Hopkins Univ. Press, (1980).

Thus, although the historical evolution of statistical endeavour was by no means uncomplicated, it is fair to say that the development of the discipline in Britain had, by the mid 19th century, identified the legitimate concerns of the state and political economy: population and wealth were to be their true objectives. For instance, Bentham viewed statistics as "having for its subject the quantities and qualities of the matter of population, . . . wealth . . . and political strength" and which he hoped to be able to synthesise into a practical science of legislation. Bentham quoted in M. Mack, Jeremy Bentham: An Odyssey of Ideas, 1748-1792, London, (1962) page 240.

The strongly naturalistic orientation of this early statistical endeavour (as well as its affiliation) to political economy and administration) may be gleaned from the following comment taken from the 1840 report of the Statistical Society of London. "by this cultivation of [statistics] only we can arrive at a knowledge of the physiology of societies, and comprehend the paroxysms of disease which they sometimes exhibit in a state of violence, or the exhilaration of health, which displays itself in a state of peace. Empirical treatment of symptoms, without this

knowledge, must be as vain in its effects upon the body politic as upon the human frame; for it has no guide." Journal of the Statistical Society of London, (1840) page 6. See also, McKenzie, (1981) op. cit., Cullen, (1975) op. cit., P. Abrams, The Origins of British Sociology: 1834-1914, London, (1968).

14. Journal of the Statistical Society of London, Vol. 1, (1833) page 1, quoted in Eyler, (1979) page 15.
15. See Bentham, quoted above note 13. Alternatively, as Kay and Mott put it, (1982, page 90): "The actual principle of population, or the real conditions and consequences of its magnitude, originated in the process of primitive accumulation. In this phase wealth was turned into value and piled up as money on the one side and serfs were turned into people and piled up as population on the other. The one became capital, the other labour; although this clear distinction did not emerge until much later. Consequently the connection between them was not clear and they appeared as totally separate things and persons. Value appeared as precious metal, credit and goods; labour as rogues and vagabonds ... At the end of the 16th century a change took place and rogues and vagabonds were no longer seen as something outside property, but as a source of labour."
16. M. Foucault, 'On Governmentality', Ideology and Consciousness, No. 6, (1979) page 18.
17. Foucault, The History of Sexuality, (1978)
18. On the 'sustained practices' of administration by which populations and social groupings were transformed into labour power, see, P. Corrigan, 'Feudal Relics or Capitalist Monuments? Notes on the Sociology of Unfree Labour', Sociology Vol. 11, (1977). The 'fabricated normal individual' of just such a system of disciplinary administration, see, Patton and Morris, Michel Foucault: Power, Truth, Strategy, Feral Press, Australia, (1979) page 114. As Foucault himself has put it, "the individual is, no doubt, the fictitious atom of an ideological representation of society." Discipline and Punish, (1977) page 194.
19. See, inter alia, Cullen, (1975); Abrams, (1968), P. Squires, 'The Policing of Knowledge: Criminal Categories and Criminal Statistics in the 19th Century', (1980), P. Pasquino, 'Criminology: The Birth of a Special Savoir', Ideology and Consciousness, No. 7, (1980), A. MacDonald, 'Abnormal Man', (1893) and finally, O. R. MacGregor, 'Social Research and Social Policy in the 19th Century', British Journal

- of Sociology, Vol. 8. (1957) pages 147-148.
20. Pasquino. (1978) op. cit., page 51. Eyler. (1979). Donzelot. (1980) chapters 1 and 2.
 21. M. Moheau. Recherches et Considerations sur la Population de la France. Paris. (1778) quoted in Pasquino (1978) page 51. The life Insurance 'Life Tables' developed by early 19th century statisticians elevated 'man' to this status as an object of knowledge. Of course, the background to this development was man's significance as labour power in the system of political economy - an entity which demanded calculation and, as T. Cooper (1830) has affirmed, accurate detail.
 22. W. H. B. Court. A Concise Economic History of Britain from 1750 to the Present Time. Cambridge. (1954) page 16. quoted in Perkin. The Origins of Modern English Society: 1780-1880. RKP. (1969) page 16.
 23. Kastner. 'From the Social Question to the Social State'. (1981) pages 10-11.
 24. For the traditional system of local administration see H. M. Jewell. English Local Administration in the Middle Ages. David and Charles. (1972). On the many forms taken by the 'science of police', see Kneyemer (1980). These earlier conceptions of 'police' referred to the securing of order in civil society, thus. "It is an illusion arising from the artificial development of economics as a separate discipline that the science of police originated to deal with problems of order outside production and beyond the limits of factory discipline." (Kay and Mott, 1982. page 127.) However, with the advent of a more generalised system of capitalist production facing the intractable problem of securing a sound basis for the exploitation of labour, a more pre-emptive police was necessitated: a police which transcended the whole social field of class relations, of state administration and economic practices. 19th century government growth saw the development of many inspectorates, commissions, interrogatory and supervisory bodies (Factory Inspectors, Lunacy Commissions, Poor Law Commission, Customs and Excise - aside from the extensive charitable and philanthropic private institutions: see W. G. Carson, 'The Conventionalisation of Early English Factory Crime', International Journal of the Sociology of Law, Vol. 7. No. 1. (1979). and, 'Early Factory Inspectors and the Viable Class Society', International Journal of the Sociology of Law, Vol. 8. No. 2. (1980). On the expansion of

government in the nineteenth century see P. Corrigan, State Formation and Moral Regulation, PhD. Thesis, Durham, (1975). However, the authority and jurisdiction of the police provided the basis upon which all other authorities rested. The police – or rather the 'general system of police' advocated by Redgrave, the Criminal Registrar – was to be an organisation of the general civil force of the state throughout society. Even though specifically administrative and 'welfare' responsibilities were gradually removed from them (although not in many rural areas, until quite late in the 19th century), police officers continued to undertake Poor Law responsibilities, for example, as Relieving Officer. See R. Mishra, A History of the Poor Law Relieving Officer, PhD. Thesis, University of London, 1969.) The police remained an essentially social force, however, by dint of their sphere of jurisdiction and their ultimate goal. See, M. Brogden, The Police: Autonomy and Consent, Academic Press, (1982), E. Chadwick, 'Preventative Police', London Review, Feb. (1829).

25. M. Foucault, Discipline and Punish, (1977) page 201.
26. Prins, quoted in Pasquino, (1980) op. cit.
27. G. Procacci, 'Social Economy and the Government of Poverty', Ideology and Consciousness, No. 4, (1978) pages 60-61.
28. Procacci, (1978) pages 68-69. As B. Jordan has put it, "what was required was an combination of material assistance with supervision, a form of intervention at a more personal level, concerned with the day to day details of the lives of the poor, one which would deal as much with the turmoil of their disruptive family relationships as with the chaos of their depleted finances. Such intervention could only be provided by social workers." Jordan, Freedom and The Welfare State, RKP, (1976) page 134.
29. N. Rose, 'Socialism and Social Policy', (1980) page 133.
30. G. Therborn, 'The Rule of Capital and the Rise of Democracy', (1977) op. cit., and A. Przeworski, 'Social Democracy as a Historical Phenomenon', (1980) op. cit.
31. L. Von Stein, A History of the Social Movement in France (1921 Edn.) quoted in Kastner, (1981).
32. ibid. page 15.
33. The label applied to the academic marxists and economists of the German and Austrian Universities whose marxism was widely believed, in the final quarter of the 19th century, to be the foil for a substantially conservative social and political philosophy entailing a commitment to

state and constitution alike. Included within this group of 'aristocratic marxists' of 'socialists of the chair' were both Von Stein and Schäffle, although it is Kastner's belief that, with respect to Von Stein at least, this label is a little misleading.

A number of authors, mostly contemporaries of Schaffle (although not of Von Stein) have elaborated the relation between the aristocratic marxist's constitutionalism, centralism and, ultimately, Bismarck's own variety of 'state socialism'. See, for instance, G. D. H. Cole, A History of Socialist Thought, Vol. II - 1850-1890, H. W. Laidler, A History of Socialist Thought, London, (1922) chapters 8-12, pages 54-148 and 669-670 and H. W. Laidler, Social and Economic Movements, New York, (1945) pages 738-742.

34. Kastner, (1981) page 14.
35. Utopianism may be a problem with Von Stein's work, yet there is nonetheless, much in it that reminds one of modern sociology. Von Stein was certainly a materialist but his work was not without a rigorous analysis of the political and social relations of his time. No English speaking writer has compared the works of Von Stein with those of Weber, but there are a number of significant similarities. Kastner's depiction of Von Stein as the 'proto-sociologist' is not all that grandiose.
36. Marx and Engels, 'The Communist Manifesto', Marx and Engels' Selected Works (1968).
37. A conference under the auspices of the 'History Workshop', prompted by the remark of the Prime Minister, Margaret Thatcher, calling for a return to 'Victorian Values' (it was never quite clear which ones) took too much for granted. It was hardly ever considered whether anything more than 'values', shifting attitudes or 'ideological climates' were responsible for the waning support (as represented by the media) for the Labour Party. It is unfortunate that an explicitly socialist conference should accept so uncritically the right-wing terms of debate, and ironic that the last twenty years of new-left theorisation of the relations between ideals and social structures should fracture, under pressure of events, into analyses of ideals alone. The one-day conference was held at Ruskin College, Oxford, May 1982. Articles from the conference presentations were published in the New Statesman, May 27th, (1983).
38. The three 'Grand 19th Century Strategies' are easily classifiable around the political programmes of their 'inventors', be they Bentham and

Smith; Owen and Malthus, Marx, Engels or Hodgskin. In practice, however, in political or administrative action the strategic divisions are less clear. In particular, as Donzelot has shown, the administrative practice of Social Economy incorporated elements of both classical political economy and marxism and most initiatives of the 19th century governments reveal substantial antecedents in social economy. By the term 'technology' is meant a mechanism by which political power is rendered effective. Thus, all 'applications of political power are 'technologies', all political relations are rooted in material or discursive mechanisms by which they are mobilised, and we must be rid of the idea that power is no more than a disposable commodity. See Donzelot. (1979).

39. See K. Polanyi, The Great Transformation, Boston. (1944).
40. Von Stein. 'A History of The Social Movement In France ...'. (1850). K. Mengelberg Ed. (1964) pages 134-135, 138, 154. For Kay and Mott, this transformation inaugurated the second phase of the state - the era of reform - identifiable by its administration of 'population' (see page 31). "The apparently structured orders of feudalism decomposed and were replaced by the order of equivalence, the contours of society were flattened and it appeared as a natural, uniform mass." (page 85)
41. J. Annette, 'Bentham's Fear of Hobgoblins: Law, Political Economy and Social Discipline'. In NDC/CSE Ed. Capitalism and the Rule of Law, (1979) page 71.
42. Bentham, quoted in Annette, (1979).
43. See in particular, J. Bentham, An Introduction to the Principles of Morals and Legislation, University of London, Athlone Press, (1970). J. Bentham, Of Laws In General, University of London, Athlone Press, (1970). Bentham, The Limits of Jurisprudence Defined, edited by C. W. Everett, Columbia University Press, (1945), reprinted 1970, and B. Parekh, Bentham's Political Thought, Croom Helm, (1973). However despite these explications of Bentham's project, Foucault's Discipline and Punish, remains its most potent analysis.
44. Kay and Mott, (1982) page 137.
45. Karel Williams has recently chided historians for escalating a supposed distinction between pauperism and poverty - "because current historians have only half rejected an earlier whig historiography of the welfare state; they reject the whig schema of steady progress towards the welfare state but they accept the whig destination, that is, poverty as

object
 a privileged of investigation and for remedial action." This, so far, is fair but Williams's conclusion is misleading: "poverty," he writes, "is neither a more 'real' scientific problem than pauperism: poverty is simply a discursive invention of a more recent date." In challenging the discursive preoccupations of historians and administrators, Williams is mistaking the wood for the trees. Poverty and pauperism are not the same thing, certainly Marx and other social theorists of his day saw this. Poverty was a factor, an indispensable factor, in the operation of capitalist political economy. In conceptions of political economy poverty (relatively or absolutely) stands for the same thing, the natural counterpart of wealth. Pauperism, on the other hand, was the political expression of poverty. Now, however, other concepts or formulations have replaced 'pauperism' (for instance, 'disadvantaged', 'pathology', 'marginalisation', etc.). Williams was correct to distinguish the two terms and to seek to disentangle their discursive universes, but the picture is more complicated than he has allowed, the two concepts do not refer to (nor obscure) a similar reality, hence the vitally important distinctions made by 19th century writers. See K. Williams, From Pauperism to Poverty, RKP (1981).

46. E. Briggs, 'The Myth of Pauper Disqualification', Social Policy and Administration, Vol. 13, No. 2, (1979) page 130. However, despite this debate and the continued existence of formal political bars on the poor (paupers), Briggs concludes that pauper disqualification was not particularly effectively administered and, at best, substantial variations and discretionary practices characterised its operation. In a similar vein, the contradictions of enforcing the law of settlement – invoking costly legal procedures in order to remove limited numbers of paupers from parishes – were apparent to many contemporaries and it is far from surprising that many parishes sought more practical and cheap solutions. See M. E. Rose, 'Settlement, Removal and the English Poor Law', in Fraser ed. The New Poor Law in the Nineteenth Century, (1976).
47. L. Von Stein, A History of the Social Movement in France, (1964 Edn.) pages 262, 263-265.
48. G. Procacci, 'Social Economy and the Government of Poverty', Ideology and Consciousness, No. 4, (1978) page 62.
49. F. Marbeau, Du Pauperisme en France et des moyens d'y remédier au Principes d'Economie Charitable, Paris, (1847) quoted in Procacci, (1978). See also Chevallier, Labouring Classes and Dangerous

Classes (1973) op. cit.

50. Repression is an evocative concept to employ but, in the circumstances, a fairly appropriate one. As the argument runs, the practices of political economy, state and philanthropy effected divisions and levels of exclusion within the population. Today we would refer to this process of division and exclusion in the language of marginalisation, but the 19th century had, in pauperism, a language of its own. The pauper was not the recipient only of a one-dimensional technique of exclusion - repression - but this concept adequately describes the experience of the most degraded, downtrodden, despised sections of the poor, the 'residuum', the 'sub-proletariat', the 'most pauperised', the 'dangerous and criminal classes'. See for example, G. S. Jones, Outcast London, (1971), P. Cohen, Policing the Working Class City, (1979), J. Stevenson, 'Social Control and the Prevention of Riots in England', (1977), V. Bailey, 'The Metropolitan Police, The Home Office and the Threat of Outcast London', in Bailey Ed., Policing and Punishment in 19th Century Britain, Croom Helm, (1981), Squires, 'Internal Security and Social Insecurity', (1981), Chevalier, (1973), Melossi and Pavarini, The Prison and the Factory, Macmillan, (1981).
51. A. Cherbuliez, Etudes sur les Causes de la Misere, Paris, (1853) page 121, quoted in Procacci, (1978) page 71.
52. The uses of the moral category 'work', vary as between the disciplinary and moralising 'work' that Sellin describes in the early Flemish 'rasphuls' or 'tuchthuls' in the 16th and 17th centuries, through the institutionalisation of 'work' as an aspect of penal discipline (hard labour) or control of a class of 'able-bodied' poor in industrialising Britain, or even as a criterion for inclusion in 'respectable' society via the labour market and the possibilities offered by the receipt of a wage, finally, to the adoption and inversion of all these positive meanings of 'work' (albeit in capitalist society) in the 'right to work' campaigns of recent years. See inter alia, Sellin, Pioneering in Penology, (1944), Melossi and Pavarini (1981), N. Longmate, The Workhouse, (1970), M. A. Crowther, The Workhouse System, (1982), Thornstrom, (1964) Donzelot, 'Pleasure in Work', (1981) and Kay and Mott, (1982). Finally, on the 'right to work', M. Rustin, 'The Right to Work', New Left Review, No. 135, (1983).
53. Thus under the aegis of 'natural law', as developed by Locke we have work as the natural activity in which man mixes his labour with the

natural world. In Political Economy – Smith, Bentham and McCulloch – it became clear that work is conceived of as the basis of political order. In Ricardo, work is conceived of as the source of all value. In Marx it is the activity through which production is organised and the means by which the working class is exploited (work is also the basis of the definition of the class which will liberate society from this exploitation). whilst, for Smiles, work is more of a duty and, for Weber, perhaps even a 'calling'. Throughout most of the 19th and early 20th centuries, its pursuit was a 'condition of eligibility' for a whole range of social benefits. Now even, as many seek it and many more find its possession desirable, we would have work as a right. For a thorough analysis of these many representations of the concept 'work' and their significance in the historical phases of capitalist development, see Kay and Mott. (1982).

54. Donzelot. 'The Poverty of Political Culture'. (1979) op cit. See also, M. Berg. The Machinery Question and the Making of Political Economy: 1815-1848. Cambridge Univ. Press. (1980). P. Joyce. Work, Society and Politics. Harvester. (1980). K. Burgess. The Challenge of Labour. Croom Helm. (1978). As both Burgess and Kay and Mott have noted within the discourse of labour as a class and as production itself were contained the bases of contemporary political order, and the sources of contemporary class conflicts. This contradiction was more fully realised in the emergence of social democracy in the later decades of the 19th century and in the social democrats' political strategy based upon 'labour'. See the later discussion of social democracy.
55. Procacci. 'Social Economy and the Government of Poverty'. 1978. op cit.
56. The form of the employment relationship is typically expressed as a legal relation, and much modern legislation proceeds from this basis. Even marxist accounts of the contract of employment have inadequately expressed the complexities of this relationship. See O. Kahn-Freund. Labour and the Law. London. (1972). K. Renner. The Institutions of Private Law and their Social Function. RKP. (1949. 1976 Edn.). For analysis and critique of these formulations see Kay and Mott. (1982) pages 110-125.
57. See Z. Bauman. Memories of Class. (1983) chapter 1. The employment relationship, is the most basic of those relationships in capitalist society by which a change is wrought in the political relations

of labour and capital. This change brings about a major division at the heart of labour politics. The division can be expressed in terms of the divorce which capitalist relations of production (and political economy, its form of calculation) effect between the needs and capacities of labour thus dividing the political struggle of labour and compromising its resistance to the form of production and subsistence by necessitating a struggle over subsistence per se. Donzelot in expressing this relation as a component of social democratic politics, writes of it as having transformed "a theoretical refusal into a quantitative demand" and that labour's accommodation to capital under the modern organisation of the state, is sealed under this contradiction. See Donzelot, (1980) page 222.

58. S. Marglin, 'What Do Bosses Do?'. In A. Gorz ed. The Division of Labour. (1976)
59. See above, notes 53 and 54;
60. See Kay and Mott, (1982) pages 110-123, K. Renner, (1949) and Kahn-Freund, (1972).
61. Marx, 'Capital', Vol. 1; (1976 edn.) page 899.
62. Marx, *ibid.*, page 280.
63. See Jessop, The Capitalist State, (1982), especially the chapter 5, pages 211-259.
64. Both perfectly legal and wholly illicit practices have contributed to this hierarchical patterning of 'work'. The illicit practices and 'undisclosed' perks have begun to attract the attentions of researches, see for example, J. Dutton, Part-Time Crime, Macmillan, (1977), S. Henry, The Hidden Economy, Martin Robertson, (1978). On the other hand the more legitimate practices by which higher forms of employment are made more bearable or attractive are beginning to attract the attention of students of social policy, see for example, Frank Field's analysis of the five welfare states in Freedom, Inequality and the Welfare State, Fontana, (1980). The final range of practices (which may well encompass both of the above sets of practices) which is itself becoming something of a philosophy in elite sector employments concerns work 'humanisation'. On the essential basis of this technique of management, see Donzelot, 'Pleasure In Work', Ideology and Consciousness, No. 9, (1981), and A. Zimballist, 'The Limits of Work Humanisation', In Review of Radical Political Economics, Vol. 7, No. 2, (1975), and The Association for Personnel Management, Humanisation of Work In Western Europe, Pitman Press, (1979).

Insofar as the humanisation of work perpetuates the acceptance of the ideology that the current organisation of production and hierarchy per se, is either natural, 'essentially human' or self-evidently 'social', then the popular discourse of capitalist production enhances the ideological underpinnings of the present form and disciplinary organisation of work.

65. "The history of all hitherto existing societies is the history of class struggles." Marx and Engels, 'The Communist Manifesto', in Marx and Engels' Selected Works, (1968).
66. Donzelot, 'The Poverty of Political Culture', (1979).
67. See Lenin, Marxism and Revisionism. In Lenin, Collected Works, Moscow (1968). This orthodoxy, that social politics are a direct offshoot or corruption of Marxist politics has been affirmed to some extent by Kolakowski, for example "The term [revisionism] denoted those ... who, while starting from Marxist premisses came by degrees to call into question various elements of the doctrine ...", and "this form of socialism derives genetically from Marxism." (page 114) On the other hand, Kolakowski acknowledges, "revisionism was regarded as a theoretical position, but its articulation by Bernstein in the late 1890s was preceded by political tendencies which led to the same direction ..." and "... this 'reformist' attitude was widespread in practical socialism before Bernstein gave it a theoretical basis." And further, "Bernstein's theories could never have had such an earth shaking effect if they had not been a crystallisation of ideas which were already in the air". L. Kolakowski Main Currents of Marxism: Volume 2, Oxford University Press (1978) pages 98-100.
68. See F. Brockway, Britains First Socialists, Quartet Books, (1980)
69. Z. Bauman, Memories of Class, RKP, (1983), Chapter 1. Bauman devotes a good part of his introductory chapter to a consideration of Thomas Hodgkin's work Labour Defended Against the Claims of Capital, published in 1821 and the corruption of the principles which gave rise to Hodgkin's thesis.
70. Marx and Engels, The Communist Manifesto, in Marx and Engels' Selected Works, (1968), pages 59-62. Owen's classic statement is contained in his work A New View of Society, Everyman Books Edition, (1927). In this book the utopian compromise of capital and labour which Marx and Engels severely chastised is fully developed.
71. K. Marx, Critique of the Gotha Programme: (1875). In Marx and Engels' Selected Works (1968).

72. F. Engels. Contribution to the Critique of the Social Democratic Draft Programme of 1891. cited in Przeworski (1980) op. cit., page 37.
73. Engels; In particular, objected to Kautsky's assumption that the interests of the working class could be so easily nationalised under the banner of the people. Indeed, this nationalisation of class interests, (or rather the superimposition of a national interest on top of a class interest) has long been a feature of social democracy. For a thorough study of Kautsky's politics and his work within the German Social Democratic Workers Party, see M. Salvadori, Karl Kautsky, New Left Books, (1978).
74. See P. Gay, The Dilemma of Democratic Socialism, Columbia University Press, (1962).
75. Kolakowski, Main Currents ... Vol. 2, page 101. It is interesting that a number of authors, and contemporaries of Bernstein, have explained this apparent 'contamination' of Bernstein's politics from his experiences of Fabianism during his period of exile in England. See for example, D. McClellan, Marxism after Marx, Macmillan, (1979), page 23.
76. Kolakowski, Ibid., page 114.
77. As Engels, considering precisely this problem of revisionism, put it in 1890, in a letter to Schmidt, "What these gentlemen all lack is dialectics." Engels to C. Schmidt, 27th October, 1890 in Marx and Engels' Selected Works, (1968), page 689.
78. Eduard Bernstein, Evolutionary Socialism, reprinted New York, (1961).
79. Bernstein quoted in Kolakowski, Main Currents ... Vol. 2, page 110, and in McClellan, (1979), page 31. Although hardly surprising given the common revisionist orientation it is interesting to note the explicit similarity between Bernstein's articulation of socialism as a means or practice, rather than as an end and the comments, quoted in the preceding chapter by the Swedish author; Adler-Karlsson. See, Functional Socialism: A Swedish Theory for Democratic Socialism, (1967).
80. Kolakowski, Ibid., page 114.
81. Lenin attacked forms of revisionism in a number of articles, the most famous of which being: Marxism and Revisionism; and Materialism and Empirio Criticism. See Lenin, Selected Works, Moscow, (1968).
82. See A. Schaffle, The Impossibility of Social Democracy, preface by B. Bosanquet, London, (1892), pages 191-195.

83. See D. Coates, The Labour Party and the Struggle for Socialism, Cambridge University Press, (1975), P. Clarke, Liberals and Social Democrats, Cambridge University Press, (1978); H. Pelling, The Origins of the Labour Party, Oxford, (1965), and Millband, Parliamentary Socialism, Merlin Press, (1972).
84. See Kay and Mott, (1982), op. cit., chapter 3, and J. Tomlinson, The Unequal Struggle: British Socialism and the Capitalist Enterprise, Methuen, University Press, (1982), chapters 4 and 5.
85. See Tingsten, The Swedish Social Democrats, Bedminster Press, (1973), especially chapters 3 and 9.
86. S. Yeo, 'Working Class Association and Private Capital...', In Parry, ed. Social Work, Welfare and the State, 1979.
87. Crosland went some way to defining this vision of social democracy, although, for him, social democracy was frequently tied to explicitly party political objectives. See A. Crosland, 'A Social Democratic Britain', Fabian Tract, No. 404, (1971), and 'Social Democracy in Europe', Fabian Tract, No. 438, (1975).
88. A. Crosland, 'The Future of Socialism', Cape, 1956, page 266, quoted in Tomlinson, (1982), op. cit.
89. Tomlinson, (1982), op. cit., page 91.
90. Kay and Mott, (1982), op. cit., page 146. See also, on the question political economy's system of representation, J. Baudrillard, The Mirror of Production, Telos Press, (1975).
91. It is possible to suggest that social legislation in the form of rights, laws, regulations, standards, penalties and procedures constitutes the practical discourse of the modern state. Burton and Carlen, in their book Official Discourse, (RKP 1979), showed how the state's executive, in its formulation of official reports, furnishes the state administration with an authorised version of events and legitimates both the past practice of the state but, at the same time, prepares the ideological ground for future policy options. This activity can be understood as a form of ideological groundwork, reformulating and reconstituting the principles and priorities of social and political order. Reformulating the principles of political order is clearly a vital aspect of the authority of the modern state but equally, if not more important, is the question of the state practices, its regulative codes, themselves. These are not simply part of an attempt to reconstitute political order, but also entail attempts to prescribe forms of order and the conditions under which social relations and the organisation and delivery of state

social policies take place. Social legislation in so far as it points to the maintenance of future order, must be seen as the primary discourse of the state. See A. Fraser, 'The Legal Theory We Need Now', Socialist Review, Nos. 40-41, (1978). T. Prosser, 'Towards a Critical Theory of Public Law', (1982). R. M. Unger, Law in Modern Society, Macmillan Free Press, (1976). K. Klare, 'Law-Making as Praxis', Telos, No. 40, (1979). I. D. Balbus, Marxism and Domination, Princeton University Press, (1982).

92. Donzelot, 'The Poverty of Political Culture', (1979).
93. Fraser, 'The Legal Theory We Need Now' (1978).
94. Ibid. See also Unger, (1976) and E. Kamenka and A. Ehr Soon-Tay, Law and Society, 1979.
95. On the nature of the 'franchisal jurisdictions' of guilds, localities and trade associations in pre-industrial England, see H. M. Jewell, (1972). P. Rosanvallon, 'The Question of Social Corporatism', Telos, 1983. Tigar and Levy, Law and the Rise of Capitalism, 1979, Lord Hewart, The New Despotism, London, 1926 and S. and B. Webb, Statutory Authorities for Special Purposes, London, 1927.
96. Fraser, 'The Legal Theory We Need Now', 1978, op. cit.
97. As Kay and Mott have put it: "Modern administration arose in the gaps left by the ambiguities of property law and, in filling these gaps, created a new continuum of procedures in which the distinction between itself and law has been continually eroded: ... Through the categories of order and social class the law-and-administration continuum matches and touches the object it constitutes, population... The continuity of this unified administrative process with the common law is expressed officially in the doctrines of administrative law. It is only in terms of their immanent and practical identity as a unified process that the state can ... be grasped." Law and now administration are the forms through which the subjects of social production are constituted by the state..." (1982, pages 131-137.)
98. W. Churchill, quoted in Jones and Novak, 'The State and Social Policy', P. Corrigan Ed., (1980).
99. Donzelot, 'The Poverty of Political Culture', 1979, op. cit.
100. Thus, although social policy has been very slow to moving to consider questions of class, political order and public finance in their entirety, recent converging interests upon the theory of the state, the reproduction of class relations and fiscal crisis - as well as a climate of economic uncertainty resulting from the replacement of an old

'Keynesian' orthodoxy by a new one: monetarism. (see Heald, Public Expenditure, Blackwells, 1983.) - have thrust these problems of the reproduction of social and political order through the states fiscal systems, to the fore. In particular accounts are now emerging which do not simply take for granted the assumed 'redistributional Intent' of state fiscal policy. See for example, R. F. King, 'From Redistributive to Hegemonic Logic: The Transformation of Tax Policies In The United States: 1894-1963', Politics and Society, Vol. 12, No. 1, (1983).

101. See Yeo, (1979) op. cit., and also Kay and Mott, (1982) and Donzelot, (1979). Whether one takes 1911 or 1945 as the moments of relationship, the links between a developing politics of social democracy and the strategy of social insurance are apparent.
102. G. Stedman-Jones, Outcast London, Oxford University Press, 1971.
103. See Donzelot, The Policing of Families, (1980), page 64.
104. Ibid.
105. F. Feher, A. Heller and G. Markus, The Dictatorship over Needs, Blackwells, (1983).
106. See The discussion at the end of the preceding chapter, especially relevant is the work of K. Soper, On Human Need, op. cit.
107. See Donzelot, (1980) page 222
108. See J. Minson, 'Strategies for Socialists ...', (1980). Minson seeks to elucidate the possibilities of socialist resistance on the basis of Foucault's theoretical advances. In some respects this is the weakest part of Minson's account - given the contemporary situation, perhaps this is understandable. It is difficult to conceive of ways in which socialist advance could proceed, or of the principles upon which a new social policy could be founded.
109. The three levels of the insurantal apparatus are each the components of a form of order that operates within and throughout society. The techniques of social insurance are, in this sense, pre-emptive and 'positive'. They secure the passive adherence of the population to the existing social structure and, even better, promote the cultivation of positive aspirations. In a sense, it could be said that the insurantal techniques promote an organic form of social order by which the population (or rather, the hierarchies of the population) is bonded to the state. This form of order is in contrast to the order of law or of 'police' which is, as it were, imposed upon the population from above, a form of power that dominates the population, rather than a system of social discipline which operates almost as if with the compliance of the

population. No doubt this distinction over-emphasises the differences between the control by 'police' and discipline through 'insurantal techniques' – especially in the contemporary period where the technology of mass-communication renders popular reaction to so many disciplinary forces and controls, essentially passive. Nevertheless, these are the principle characteristics of the two different kinds of order. See for example, De Sousa Santos, (1982) op. cit.

110. Such a rephrasing of questions of employment and unemployment becomes essential in order that one might make sense of the popularly held notion that, currently, the employed population is in some sense working for and supporting the country whilst the rest of the population remain little more than a burden. See Golding and Middleton, Images of Welfare, Blackwells, (1982).

111. Donzelot, (1979).

112. Ibid., see also S. Yeo, (1979) op. cit.

113. In Sweden, the Trade Unions are enlisted as the 'partners' of the state in the administration of insurance benefits (health, unemployment, pensions) whilst also contributing to a wide range of administrative processes at an enterprise level, beyond that to which British Unions tend to become involved. See for example W. Korpi, The Working Class in Welfare Capitalism RKP, 1978, or U. Himmelstrand et al. Beyond Welfare Capitalism, Heinemann, 1982.

The interesting issue emerging from the recent attempts by the Conservative Government (since 1979) to 'control' the Unions is that, on the one hand it seems as if the government wish to curb the political powers of the Unions (ie. those things a Union might legitimately do) whilst, on the other hand, increasing the social responsibilities of the Unions (statutory sick pay, protection of employment rights at work) although typically without providing the means by which Unions might effectively do this. The scale of the Trade Unions' social and administrative responsibilities in Britain is nowhere near that of Sweden but the ways in which they have been absorbed within the state apparatus in Britain reminds one far less of a partnership, than of a subordination of the Unions to the priorities of national government, the the state. See Kay and Mott, (1982) chapter 3.

114. Kay and Mott, (1982) pages 140-146, Tomlinson, (1982) and Donzelot, 'Pleasure in Work', Ideology and Consciousness, No. 9, (1981). The effort to quantify these costs on production has become

a major activity on the part of business corporations, governments and 'quangos' (In Britain, most notably the M.S.C.). Thus, statistics are compiled of the 'strike-proneness' of workforces, (see Hyman, Strikes, 1976). Similarly, calculations are made regarding the productivity and quiescence of workforces in decision-making on industrial location, (see Beynon, Working For Ford, 1975). In 1981, the International Social Security Association commissioned a study of the costs of various forms of absenteeism as part of its assessment of productivity and European labour markets. International Social Security Association, Absenteeism and Social Security, Geneva, (1981). In the wake of the introduction of Statutory Sick Pay (SSP) it is to be expected that calculations of the costs of absenteeism will come to play a far greater part in economic planning and the formulation of policies to promote higher profitability. Donzelot's article 'Pleasure in Work', cited above, considers many of the long term implications - politically and socially - of these kinds of developments.

115. See for example, De Gerando, The Visitor of the Poor, (1833), J. Fido, 'The C.O.S. and Social Casework in the 19th Century', (1977) and and finally, J. Bradshaw and A. Deacon's recent examination of the history of means-testing, Reserved for the Poor, Blackwells, (1983). So often such accounts concentrate their primary emphasis upon the unjustified harshness of means-tests and social investigation, on its folklore and failings, whilst missing the most important point that, within this institution of individual testing a whole political apparatus of individualisation - the fragmentation of class representations - came to a head. This individualisation must surely represent the most significant long term feature of the practice, aside from the specific idiosyncracies of its practice.
116. This state of affairs is perhaps only the final outcome of the full Keynesian drama. The increase in luxury spending and consumption - encouraged on every side by an expanding communications industry - combined with high rates of inflation, high rates of unemployment and reduced job security have actively undermined the financial autonomy of large sections of the population. In such cases insurantal practices (whether organised through the state or through private capital and the lending industry) have transformed the 'logic' of fiscal planning and politics. The basis of fiscal policy in advanced capitalism is no longer - if ever - redistribution rather, as King has suggested, a new logic of fiscal hegemony has replaced it and, in the manner of the

Insurantal techniques, blinds the fortunes of the population to the fortunes of state and capital. (See King, 1983) The net result of these transformations of the logic of fiscal policy is, as De Sousa-Santos has remarked, that capitalism is rendered as both the limit and condition of possibility of all aspirations. (See De Sousa-Santos, 1982) The argument above helps make sense of one of the more lively debates of recent years in domestic policy. It concerns whether or not one should favour an incomes policy. The argument above would suggest that, despite rhetoric, a de facto incomes policy already exists, whatever independent action the state may initiate, in late or 'welfare' capitalism, and that a more fruitful debate might address itself to questions of the desirability of intervening in the fiscal system so as to seek to produce a given number of outcomes.

117. In a number of important ways the tasks of social intervention and casework were arranged around encouraging the 'pauper' into forms of work - from the punitive regime of the workhouse to the agricultural colonies conceived within Booth's master plan - but, perhaps in more important ways, social casework came to be organised around a moral representation of work as duty, as worth and as social fulfillment. This feature was a major component in Smiles's works, Self Help, and Duty, as well as in the manuals of the C.O.S (C. S. Loch, How to Help in Cases of Distress, 1892) and in the earlier, pioneering, work of De Gerando, (The Visitor of the Poor, 1833). As a number of authors (most notably perhaps, Chevalier, 1973) have put it, it was through work, that the otherwise 'dangerous classes' were to be rendered peaceable, regular and industrious.
118. General Booth, quoted in W. Beveridge, 'The Social Work of the Salvation Army', in The Life of General Booth, London, n.d.
- 119 See, for instance J. Fido, (1977), G. Stedman-Jones, (1971); J. Harris, (1972). Other examples may be cited where writers have drawn a close connection between the objectives of social casework in relation to families and practices of industrial rehabilitation. In so many ways the one form of intervention was thoroughly reflected and reinforced by the other, the two practices were intimately related to one another in late 19th century 'social administration'.
120. Donzelot, (1979) page 81.
121. ibid., page 81. see also Stedman-Jones, (1971), Harris, (1972) and J. H. Treble, Urban Poverty in Victorian Britain, Batsford, 1979.
122. The principles of contract and tutelage are more fully described in a

later section on 'The Genealogy of the Family'. Briefly, contract and tutelage centres upon the supposed complementarity of the authority of the individual and of the state. Despite this apparent equivalence of 'authority' the family is, to a large extent, a product of forms of state intervention (the modern individual, likewise) thus their authority is: (a) derivative, (b) dependent upon the achievement of certain so-defined 'normal' competences. Once these are not met, the authority of the family/individual can be legitimately infringed by the state. Donzelot develops this notion of contract and tutelage in The Policing of Families.

123. See Golding and Middleton, Images of Welfare, (1982) page 195.
124. Donzelot, (1979) page 81.
125. See the discussion on the organisation of hierarchy and social division within the labour market, earlier in the chapter. See also the discussion of strategies of humanisation, particularly Zimballist, (1975) and Donzelot, (1981).
126. Earlier it was described how political economy effected a major transformation in 'natural' perceptions of poverty. In the course of the historical development of political economy, poverty went through a change, from representing a condition of the social order, to becoming the counterpart of wealth, finally becoming obscured by representations of pauperism and marginality. (Lis and Soly, 1979.) In the process, the contradictory practices of state and capitalist political economy operationalised a range of incentives and divisions which, prompted by the prevailing biological frames of reference of the earlier social philanthropists and statisticians, endorsed an emerging view of the population as a 'normal statistical distribution', comprising units (individuals) of a range of characteristics and aptitudes. This statistical focus, plus an active moral economy of work tended to naturalise, while at the same time condemn, pauperism and poverty as the fruit of idleness, moral weakness or deviance. Runciman's analysis of Relative Deprivation and Social Justice, (Penguin, 1972) reveals the ambiguities and weaknesses of popular perceptions of inequality, being based, as they are, upon "the cultivation of narrow ambitions, and the preservation of small [hence natural?] differentials than by attitudes to public policy or the social structure as such." (Page 336.) By virtue of this limited focus, identified by Runciman (and later, Golding and Middleton, 1982) the distribution of poverty and inequality in society comes, ultimately, to be perceived as legitimate - it being

the primary assumption that access to the (at least limited) rewards of working class life is democratic and open to all who are willing to work. As Golding and Middleton conclude, in the 20th century, "ruling images [of poverty] became 'naturalised' ... and bound by economics to an uncritical acceptance of the social order [which] provided an authoritative voice for an emasculated reformism more concerned with social control than with the redress of injustice or inequality." (Page 48.)

127. See for example, A. Gamble, 'Monetarism and the Social Market Economy', in Coates and Johnston ed. Socialist Arguments, and also, Sir K. Joseph, Why Britain Needs a Social Market Economy, Conservative Political Centre, 1975. See also A. Gamble, (1979), P. Taylor-Gooby, (1980) and A. Walker, (1981) on the contradictory notion of the 'social market'.
128. S. Webb, 'The Basis of Socialism: Historic', in G.B. Shaw (ed.) Fabian Essays in Socialism, (1920 ed.) page 49, quoted in Evans, (1978).
129. H. Spencer, The Man Versus the State, (1884) Penguin Edn. (1969) page 91.
130. Alfred Marshall, Principles of Economics, 8th Edn. (1920) Appendix A, pages 750-752.
131. W. H. Lever, (Lord Leverhulme) 'Welfare and Efficiency', abstracted in J. R. Hay, The Development of the Welfare State in Britain, Edward Arnold, (1978).
132. That is, patterns of state policy which, in the course of a process of social 'imperialism', achieved the accommodation of the population within the prerogatives of capitalist political economy. This occurred partly through the gamut of 'welfare' measures designed to organise the lives of the working class, to acknowledge their socio-political existence, in general to improve, relatively and not without hierarchical divisions, their conditions of existence, but more significantly through the apparatus of 'social insurance' which, at a stroke, focussed the nature of working class rights upon the state within the exploitative nature of the capitalist labour contract. See Kay and Mott, (1982) chapter 3, and Donzelot, (1979).
133. P. Hirst, 'The Genesis of the Social', in Politics and Power, Vol. 3, (1981).
134. See, for example, H. Parker, The Moral Hazard of Social Benefits, Institute for Economic Affairs, (1982). For an exposition and critique

of such works and of the political strategies upon which they are based, see P. Taylor-Gooby, 'The New Right and Social Policy', in Critical Social Policy, Vol. 1, No. 1, (1980).

135. The discourse of 'social politics' is littered with privileged objectives, institutions and relationships. One immediately thinks of concepts such as 'need', 'equality', 'freedom' etc. but seldom is their place in socio-political discourse examined genealogically. On the contrary, often the desirability that needs be met, that 'objectives' ought to be achieved is assumed merely by their utterance. Far less often are these conditions examined as to their conditions of existence in class society, or their representational significance in the discourse of 'social politics'. Having given some consideration to the 'new politics of needs' identified by Donzelot, I shall shortly turn to examine one such privileged institution of the 'social field', namely, the family.
136. Undoubtedly this is, as Bockenforde (1963) has suggested, because now, in the modern 'welfare capitalist' state, the content of 'politics' as an activity is substantially determined by 'the social'. It is upon the satisfaction of 'the Social', that political legitimacy rests. The implications of stage-managed mass-social politics dictating the future of state practices, must be taken seriously. See P. Taylor-Gooby, 'Public Opinion, Legitimation Deficit and the Welfare State', (1983).
137. See for example, Lady Williams, The Coming of the Welfare State, (1956), J. Clarke, 'Social Democratic Delinquents and Fabian Families', in NDC Ed. Permissiveness and Control, Macmillan, (1980) page 79. Hutter and Williams, Controlling Women: The Normal and the Deviant, Croom Helm, (1982) chapter 1, pages 9-40, and J. F. Macmillan, Housewife or Harlot: The Place of Women in French Society 1870-1940, Harvester, (1981).

Although a prominent theme in a good deal of social policy literature, the fact of social division between the deprived, the allegedly depraved, and the remainder of 'normal society' is particularly significant in respect of women, particularly working class women, and in relation to questions of sexual mores and lifestyle. This is a fact corroborated throughout a good deal of the literature cited below.

138. As Geoffrey Pearson has remarked, "The historical record registers centuries of complaint against weakened family ties." In Hooligan: A History of Respectable Fears, Macmillan, (1983) page 210. This centrality of the family emerges from a number of angles: the importance of the family as a cultural institution, an agency of

socialisation, has received sufficient treatment at the hands of Laslett and Shorter, for example, (Laslett, The World We Have Lost, 1974 edition, chapter 1, and Shorter, The Making of the Modern Family, Fontana, 1981). On the other hand, social policy (and especially social work) has constantly exhibited an attachment to the family (see for example, N. Middleton, When Family Failed, 1972, and M. Rustin, 'Social Work and the Family', 1979) whilst the principle orientations of the DHSS/SSRC transmitted deprivation study were almost wholly organised around the policy implications of the family. Questions of theoretical perspective and political orientation aside, the family and socialisation and the family as object of social policy do not add up directly to the conclusion that the domain of the family and the domain of 'the social' are wholly congruent, but they are sufficient to indicate the centrality of the family within 'the social' and the fact that there are several important lines of connection between forms of the family and the 'social sector', although perhaps only Donzelot, to date, has sought to address the questions in their entirety.

139. See note 138. above. This idea is a central theme of Donzelot's (1979) although a wealth of supporting information could be assembled. It is significant that the interventions of the C.O.S. ('social casework') tended to consist primarily of family-centred work (see Fido, 1977) - the 'visitors of the poor' were more usually visitors of the poor's families. Thus it is notable that the C.O.S. became the Family Welfare Association, the family remaining the focus of social policy and intervention. For further corroboration see E. Wilson, Women and the Welfare State, (1977), Rustin, 'Social Work and the Family', (1979) and Bland et al., (1980) and McIntosh, (1980).
140. Foucault, The History of Sexuality, (1978) page 120; Ehrenreich and English, (1977) pages 99-100 and chapters 4, 6 and 7. According to both Foucault and Ehrenreich and English, this problem of pathology first made itself apparent in the bourgeois family: "It was in the 'bourgeois' or 'aristocratic' family that the sexuality of children and adolescents was first problematised, and feminine sexuality medicalised; it was the first to be alerted to the potential pathology of sex." Foucault, (1978) page 120. As a number of commentators have indicated it was often female sexuality itself which was at fault. For example see S. Marcus, The Other Victorians, (1964), F. Harrison, The Dark Angel: Aspects of Victorian Sexuality, Fontana, (1979) especially chapters 6 and 7, and E. Trudgill, Madonnas and

Magdalens: The Origins and Development of Victorian Sexual Attitudes. Heinemann. (1976) pages 49-55.

141. This is a familiar theme - although by no means one that is confined to the 19th century. This malaise has been fairly typically characterised by Galton, who wrote, in 1892: "It is perfectly distressing to witness the draggled, drudged, mean look of the mass of individuals especially the women, that was meets in the streets of London ... the conditions of their life seem too hard for their constitution and seem to be crushing them into degeneracy." Galton, Hereditary Genius, London, (1892) pages 395-396. The malaise clearly had (as established earlier) sexuality as its key and, at one remove, the problem of woman's role as wife, mother and virtual 'slave' to domesticity as its prevailing ideological preoccupation (see A. V. John, 1980 op cit.). The Social Purity movements of the late 19th century stressed woman's superiority in moral matters, the corollary of this was that they were more to blame (see Prochaska, (1978) and Summers, 1977). Ultimately a host of social, moral and eugenic problems were deemed to stem from this, the 'Woman Question'. See J. Lewis, The Politics of Motherhood, Croom Helm, (1980) chapter 2, pages 61-88.
142. Perhaps surprisingly, the Webbs have best exemplified this relation. They wrote, "What modern industrialism destroyed, generation after generation, was the soul of the people. There is a moral miasma as deadly as the physical ... Breathing, from infancy up, an atmosphere of morbid alcoholism and sexuality, future larceny and unashamed mendacity ... the average man is, mentally as well as physically, poisoned. The destitution against which the socialist protests is thus a degradation of character, a spiritual demoralisation, a destruction of human personality itself." S. and B. Webb, The Decay of Capitalist Civilisation, (1926) pages 6-7. See also, Foucault, (1978) pages 42-43.
143. See above, note 138. Phillipe Aries, Centuries of Childhood, Penguin, 1978 pages 363, 392-393) discusses the dialectic of domesticity and sociability in which the family has been historically ensnared. Like the more recent work by Shorter (Making of the Modern Family, 1981), Aries suggests that sociability has retreated in the face of the family, and that domesticity, individualism and privacy have prevailed. However, in broad agreement with Donzelot, the argument here is that such an interpretation is incorrect. The arena of 'sociability' is rather

more coextensive with, and constitutive of, the family than either Arles or Shorter acknowledge. Hence the notion of the family as remaining a privileged, isolated lacuna of 'domesticity', or 'haven in a heartless world', as Lasch, (1977) would have it, is rather misleading.

144. A. Briggs. The Age of Improvement. Longmans (1959) page 9. Briggs' view is endorsed by Gillis in a recent work, (Youth and History, Academic Press 1981) which traces the transformation of the 'family economy' during the 19th century, indicating that kinship relations remained strong. In the urban areas ... "In comparison to the rural situation, where the father's control of inheritance guaranteed submission, relations between parents and children were indeed more equal; but poverty and the uncertainty of daily life, including health, accident and unemployment, were still so pressing that most parents and children were still bound together of necessity ... kin continued to be of prime importance in finding and holding employment in most industrial communities ... because many employers continued to find it convenient to recruit from families of their most loyal workers, the factory remained a source of extended family unity." (See pages 14-15, 56-57, 60.) See also, Laslett, The World We Have Lost, (1974 ed.) chapter 1.
145. A fairly extensive literature has begun to develop on the question of the changing place and role of the family in the age of industrialisation and the rise of capitalism. (See note 146, below.) Much of this work has stressed, particularly, the changing industrial and domestic roles of women within this process - as Catherine Hall has indicated, "The new bourgeois way of life involved a recodification of ideas about women. Central to these new ideas was an emphasis on women as domestic beings, as primarily wives and mothers." C. Hall, 'The Early Formation of Victorian Domestic Ideology', (1977).
This new 'definition' of women involved their gradual but mass exclusion from the workplace. This thesis is given particular force by Lewenhak who contrasts the capitalist industrial revolution's exclusion of women with the active and non-domestic working role of women in other times and places. (S. Lewenhak, Women and Work, Macmillan, 1980) - a thesis endorsed by A. V. John's study of women's exclusion (on moral and eugenicist grounds) from work in the Victorian coal mines. (A. John, By the Sweat of Their Brow, 1980.) Similarly, M. McIntosh, ('The State and the Oppression of Women', 1978) has described the state's contribution to processes which have brought about the changing

definitions of households, work and social relations on which this 'great exclusion' was based.

Yet this exclusion was a 19th century phenomenon. In particular, a late 19th century phenomenon. As a number of writers have indicated, for example, Pinchbeck, (Women Workers and the Industrial Revolution: 1750-1850, Virago Edn. 1981) the early part of the industrial revolution saw the opening out of the closed family economy and the vast expansion of women's industrial work in the expanding urban areas. R. Phillips has supported this view. ('Women's Emancipation, the Family and Social Change in 18th Century France', Journal of Social History, Vol. 12, No. 4, 1979) arguing that industrialisation entailed, "a breakdown in the corporativeness of the family made increasingly possible by the individualisation of work." (page 560) enabling a diminution of the formal constraints of patriarchy and gender roles. (See also Shorter, 1981 op. cit., pages 253-256.) Thus, women's inclusion and then exclusion from the terrain of mass industrial work must rank as one of the most startling processes of ideological reversal in modern history. As late as the 1840's commentators were still advocating work for women in industry: "the women of the industrial areas of the north were by the 1840's already remarkable for their greater intelligence and acuteness as compared with women of the same class elsewhere. The factory and workshop, it has been well said, take the girl out of the home, cribbed, cabined and confined as to space, light, air, ideas and companionship, mould her in habits of punctuality, obedience, promptness, hardiness, 'gumption' and sustained attention and effort, spur her on to work well, bring out her capacities for comradeship and social action, and train her in self respect, self reliance and courage." (Pinchbeck, page 308). Yet, only forty years later, exactly the opposite policy, an exclusion from the workplace came to be advocated - often for precisely the same reasons. Poverty, however, compelled many working class women to work where, paradoxically, they typically received markedly lower wages than men - although, within another 40 years they were to be called, once again, en masse into industry, to supplement the war effort.

146. See Laslett, The World We Have Lost, (1974 Ed.), and Gillis, (1981). An adequate review of debates on the question of the family, capitalism and industrialisation, cannot be attempted here, although a number of the more important theoretical contributions ought to be mentioned. Hans Medick, ('The Proto-Industrial Family Economy: The Structural

Functions of Household and Family during the Transition from Peasant Society to Industrial Capitalism'. Social History. Vol. 1, No. 3, 1976) provides an excellent discussion of the incorporation of the family form and 'household' structure into 'proto-Industrial' (Industrial production before the factory) social relations during the dialectical process of transformation to a capitalist industrial economy.

Creighton, ('Family, Property and Relations of Production in Western Europe, in Economy and Society, Vol. 9, No. 2, 1980) during a critical account of previous attempts to theorise the role of the family in relations of production in industrialising Europe, argues that an account of the changed relations of production and changed property rights is essential to an explanation of the changing form and role of family structures which satisfactorily locates of family and kinship links within capitalist social relations. Against Smelser, ('Sociological History: The Industrial Revolution and the British Working Class Family, 1968) who, in the tradition of Talcott Parsons, attempted a structural-functional location of the role of the family in the transition to an industrial economy, and M. Anderson's critique of Smelser ('Sociological History and the Working Class Family: Smelser Revisited', Social History, Vol. 1, No. 3, 1976), Creighton suggests: "It is not enough to argue that the crucial stage in the transformation of family relations came with the removal of work from the home to the factory. This criticism is incomplete for the real significance of factory employment was that it represented the final stage of the longer process which divorced workforce from the means of production and so was the decisive step in the transformation of labour into a commodity. It was these changes which finally brought an end to the collective interest of the family in private property and to the role of inheritance in reproducing certain social relations of production and a certain type of family structure." (Creighton, page 132.)

The theory of the commodification of labour is given a classic treatment in Kay and Mott, (1982) whilst the question of patriarchal property relations, the family and capitalism is discussed by R. MacDonough and R. Harrison, 'Patriarchy and Relations of Production', and by A. Kuhn, 'Structures of Patriarchy and Capital in the Family', both in Kuhn and Wolpe, Feminism and Materialism, RKP, (1978). See also Engels' discussion of these questions in his classic study, The Origin of the Family, Private Property and the State, (1962 Edn.) pages 232-233.

147. See Donzelot, (1980) chapter 3 especially section C, Arles, (1963) page 396, and Creighton, (1980). Foucault, 'On Governmentality', 1979, describes how the family "becomes an instrument rather than a model: the privileged instrument for the government of the population and not the chimerical model for government" and was thus eliminated as the model of government. (page 17) Clearly, this transformation is a process directly connected to the transformation of power relations described in previous chapters. In the classical marxist sense, Kay and Mott describe this decentring in both political economy and political philosophy by pointing out how the abstracted categories 'nature' and the 'subject' are revealed in Marx's analysis of capitalism. The family, in the transition to industrial capitalism, was thus decentred as a locale of power, the relations of power that prevailed in this period certainly entailed the family, but they did not derive from it. As Kay and Mott put it, subjects "are only dealt with insofar as they are the personification of economic categories, the bearers of particular class relations and interests." (page 59.) This sense of the industrialising economy has been referred to by Melossi who added, "never before the 19th century had any society aimed to be regulated by a purely economic force, the market." ('Strategies of Social Control in Capitalism, A Comment on Recent Work', Contemporary Crises, Vol. 4, 1980.)

Poggi, (The Development of the Modern State, 1978) also describes this decentring of traditional social institutions. He wrote, "under capitalism the economy does not operate in the societal sphere simply as one factor among and co-ordinate with others; rather it imperiously subordinates or otherwise reduces the independent significance of all other factors, including, religion, the family, the status system, education, technology, science and the arts. The capitalist mode of production gains an ever wider and firmer hold on the social process at large." (pages 120-121). See also, P. Hirst, 'The Genesis of the Social', (1981) page 67.

148. The phrase, 'middle-class cultural assault' is Fraser's, (The Evolution of the British Welfare State; London, 1974, page 119.) The increased manipulability of the family can be seen in four senses. First, in terms of its 'internal economy' (its resources, income and relations were derived almost totally from outside the family itself). Second, in terms of its authority (political authority no longer resided exclusively with the parent, the father. (See Foucault, 1978 page 100). Third, in terms

of the social practices deployed around it (as Donzelot suggests, "the social enquiry was . . . situated at the meeting point of assistance and repression." Its object was poverty, the condition of the working class. Pages 120-121. See also, Fido, 1977). And, finally, in terms of the poor family's status as an object of knowledge (typically, this went hand in hand with the interventionary social practices themselves, see, for example, B. S. Green, Knowing the Poor, RKP, 1983, P. Squires, (1980) op cit., K. Williams, From Pauperism to Poverty, and E. P. Hennock, 'Poverty and social Theory in England: The Experience of the 1880's', Social History Vol. 1, No. 1, 1976).

149. Foucault suggests that the relations of the sexes became part of these new power relations embodying both aspects of authority and reproduction. Writing of this new ensemble of power relations, he suggests, "the family was the crystal in a deployment of sexuality. It seemed to be the source of a sexuality which it actually only reflected and diffracted. By virtue of its permeability and through that process of reflection to the outside, it became one of the most valuable tactical components of the deployment." (History of Sexuality, 1978, page 111.) Subsequently with the attempted remoralisation of the working class, this form of power spread throughout the entire social body. (Ibid., pages 121-122.)
150. J. Hodges and A. Hussain, 'La Police Des Familles: A Review', Ideology and Consciousness, 5, (1979) page 90.
151. Ibid.
152. See Note 138, above. The evidence is overwhelming, the social malaise has invariably been traced back to the family. See, for example, Pearson, (1983) pages 55ff and 165. More directly, the malaise of the family was the hub around which the two central components of the late 19th century social question - labour and eugenics - revolved. See N. Rose, 'The Psychological Complex . . .', (1979) op. cit., page 16.
153. L. Von Stein, A History of the Social Movement in France, (1964 Edn.).

Even the 'guru' of thrift, political economy and self-help itself, Samuel Smiles, bore witness to a certain disapproval of that which he saw as an otherwise beneficial institution, the factory. He wrote, "the factory system, however much it may have added to the wealth of the country, has had a most deleterious effect on the domestic condition of the people. It has invaded the sanctuary of the home and broken up the

family and social ties." (Compare this to the earlier praise of the factory in the 1840's, note 145.) In Character, London, (1879) page 60, quoted in Pearson, (1983) page 167.

See also M. J. Weiner, 'Review of Social Control in 19th Century Britain, (Donajkowski)', Journal of Social History, Vol. 12, No. 2, (1978) pages 316-317. Weiner takes a more 'theoretical' view of the transformations of the 19th century and draws upon Lasch's work (The World of Nations), on the liberal-democratic political project with its attack upon traditional hierarchies and status. It is to Weiner's credit that he identified this but it is not necessary to go the whole of the way with him. For instance, it is necessary to distinguish egalitarianism as an ideology and a political creed from the realisation of egalitarianism in class experiences. The desire of the bourgeois to, "make the working man become more like me," has often been the foil for a number of oppressive and/or racist interventions, at the same time begging a whole host of questions about both the means and the ends entailed by such a project.

154. That is to say, property, in the form of capital began to overtake 'title' and inherited statuses, as a new bourgeoisie with its roots in manufacturing became more politically active. This conflict of the bourgeois classes set the scene for the major set piece conflicts of the 19th century over matters such as 'free-trade' and the Corn Laws, the Poor Law, a national System of Police, the Factory Acts and, above all, electoral reform.
155. See Baudrillard, The Mirror of Production, (1975). Kay and Mott take us as far as the 'keynesian-economic' state form, and the nationalisation of socio-economic priorities this entailed, but they have had relatively little to say (unlike Baudrillard) about the system of representation inaugurated within capitalist political economy. It is too much to spell out the full parameters of this arrangement here, but the significance of a number of features must be considered: the rise of the extended credit economy, the hegemonic fiscal role of the state and the onset of mass-society politics. All these factors have contributed to a dislocation of direct political-economic fortunes and political legitimacy. The latter has gained a certain relative autonomy under the visible hand of the social market. Mass communications have made political capital of 'legitimacy'. It is a matter of some conjecture as to whether this involves the decentring of strictly economic indicators.
156. Donzelot, (1980) pages 7-9.

157. As has been argued, through the works of Foucault and Donzelot we are able to begin to take 'the social' seriously, to begin to comprehend capitalism as a system of disciplinary social relations, reinforced, given further shape and coherence through state practices.
158. Deleuze, quoted earlier, see note 4.
159. It is this supposedly 'natural' assembly of human aspirations and aptitudes, of forms of lifestyle, work, organisation, consumption and leisure that the synthetic concept of the social market claims to represent. Beneath its appealing 'social' facade the familiar capitalistic relations of division, discipline and exclusion, become apparent.
160. This feature is evident in a number of respects, social practices have frequently been curtailed because of their infringement upon woman's 'real nature' and 'family' crystallised as ideals, viz: "In defining the scope of child and maternal welfare policy, these groups (politicians, media, professionals, civil service, voluntary workers), operated within the bounds of an implicitly accepted framework of ideas and values. The belief that the family should be subject to minimal outside interference played a part in limiting the scope of child and maternal welfare services". J. Lewis The Politics of Motherhood, Croom Helm, 1980, p. 14. See also 108-9, 221-4, on the ideology of motherhood.

Emphasising precisely this ideological legacy that has curtailed women's emancipation and expression, Ann Oakley has written: 'The doctrine that women belong in the home never carries more conviction than when it is allied with 'proof' that women's activities outside the home are detrimental to the health and welfare of themselves, their families and the community as a whole'. A. Oakley, Housewife, Penguin, 1974, p. 47. See also, K. Millett, 'The Debate over Women: Ruskin vs Mill' in M. Vicinus, (1972).

Historians and social scientists have depicted the opposing views on the 'nature' of woman as represented by Ruskin and Mill. Ruskin, the romanticist has been described as perhaps the "most famous of all the apologists for woman's place". (E. Wilson: Women and the Welfare State, Tavistock, 1977, p.22), while Mill, the rationalist, condemned female subordination and called for a new principle. Yet ultimately, it was a principle which appealed to its own characteristic of human, and especially female nature. R. J. Evans, The Feminists, Croom Helm (1977), pp 18-20.

Mill wrote: "the principle which regulates the existing social

relationships between the two sexes – the legal subordination of one sex to the other – is wrong in itself, and now one of the chief hindrances to human improvement ... It ought to be replaced by a principle of perfect equality". (The Subjection of Women, quoted in Millet, 1972, p. 124). Thus the romanticist-rationalist division established itself at the centre of an idealist dialectic which pondered woman's 'true nature'. Still at the level of ideals, however, the family, 'woman's place', as a (qualified) objective of social policies has imposed further constraints upon women's (and men's) social experience. "The ideology of the family can remain: individualism, freedom and equality (at home you're yourself) while the social and economic reality can be very much at odds with such a concept. The contradictions between the ideological intentions of the family and its socio-economic base do not mean that we say the former is false ... The family is the most fundamental (the earliest and most primitive) form of social organisation. When, under capitalism, it was made to embody as an ideal, what had been its economic function under feudalism, a chronic contradiction took place. J. Mitchell, Women's Estate, Penguin (1971), pp. 156-7.

161. Ehrenreich and English, For Her Own Good: 150 Years of the Expert's Advice to Women, Pluto Press, (1977) pages 18-34.
162. See R. J. Evans, The Feminists, Croom Helm (1980) chapters 3 - 4, and O. Banks, Faces of Feminism, Blackwells, (1982) W. O'Neill, 'The Woman Movement', 1969.
163. See for instance, Barret and McIntosh, The Anti-Social Family, 1982, page 103. See also, Prochaska, Women and Philanthropy in 19th Century Britain. See also, Donzelot, 1980, op. cit.
164. See J. L. L'Esperance, 'Woman's Mission to Woman: Explorations of the Double Standard and Female Solidarity in 19th century England', Histoire Sociale: Social History, Vol. XIII, No. 24 (1979) page 23. "Whether as the clients or the saviours of prostitutes middle-class men kept lower-class women from direct contact with middle-class women." In a similar way, Hirst's stand in favour of the 'ordinary' woman against the feminist might plausibly be construed as just such a division. See P. Hirst, 'The Genesis of the Social', pages 79-80 and Bennett et al., (1981) both in Politics and Power, No. 3, (1981).
165. As in the work of Foucault, an essentially non-subjective, non-purposive notion of strategy is employed. Thus Foucault and Donzelot's usage of the notion of 'strategy' is similar to Marx's application of the dialectic (a similar anti-humanist device). For the purposes of history

and political struggle, the strategic effects of political and economic domination in particular conjunctures are all that are important. Hence strategy is not seen as a plan or campaign but as the likelihood of an outcome. By this application of the notion of strategy, Foucault and Donzelot are referring to more than simply the unintended consequences of actions, but are attempting to uncover the formation of social processes at a societal level. The foundation of this analytical project upon 'social relations' testifies to the significance of the social sector as both an abstraction (in Marx's sense – a falsification of oppression and exploitation relationships) and yet also the relatively coherent centre of political society, whereby political order is reconciled with capitalism. Donzelot is attempting to explain this relational form of disciplinary power in contemporary society and its conditions of emergence. The exercise is not all that exceptional and could be usefully viewed as a return to a rather more classic pre-occupation in the history of political philosophy. See for instance, Kay and Mott, Political Order and the Law of Labour (1982), and A. Callinicos, Marxism and Philosophy, Oxford, (1983).

166. Kay and Mott (see note 1 above) have attempted just such an approach to the problems of capitalism, exploitation and political order, through their reassertion of the importance of the dialectic of historical change, as part of a critique of left-modernism in social theory. Clearly, their project and that of Donzelot are not equivalent, but substantial areas of overlap are apparent. A dialogue here promises significant theoretical gains and political possibilities. Indicate.
167. See Barrett and McIntosh, pp. 98–105, where a collection of errors and fairly trivial remarks are accompanied with a few of significant points. Specifically, these relate to Donzelot's alleged 'functionalism', his refusal of the notion of subjective 'agency' and an implicit nostalgia for the patriarchal family and an accusatory 'anti-feminism' which they believe pervades his text. The last criticism will be dealt with in the remainder of this section, the second can be dismissed. It has commonly been alleged of those who criticise the problems of the present (sometimes rightly) but is wrongly applied here. Donzelot has explored a part of the constitution of the present, to have done so implies no necessary fondness for the vagaries and oppressions of the past which, incidentally, chapters 1 and 2 of his book describe. The related criticism of functionalism and agency must be taken seriously. Indeed, similar criticisms have already been made of Foucault. See for

example. B. Fine, 'Struggles against Discipline: The Theory and Politics of M. Foucault', Capital and Class 9, (1979).

Without venturing into an elaborate discussion of functionalism, it is clear to see that social forces (agents, institutions, collectivities) within Donzelot's account do have functions, roles and objectives but, as Gregor McLennan has suggested, we should not confuse certain forms of functional explanation and functional relationships with a full-blown functionalism. (McClennan: 1981) Yet the defining characteristic of functionalism – the explanation of social facts exclusively by their functions (Zeitlin, Rethinking Sociology, 1975), is not a part of Donzelot's account. Donzelot's book is written within a determinist framework and he explains the conditions of possibility of given social relations but never to the extent of reducing them to a function; on the contrary, contradiction, change and discontinuity all feature in his analysis. Indeed, he indicates how families (a particular social institution) can be induced to perform a variety of roles (functions), socialisation, procreation, reproduction of labour power etc. but, equally, he is just as interested in their failure to do so. This suggests not a functionalism but determinism and an interest in the constitution and rearticulation of social relations as relations of power. See Hodges and Hussain, (1979) page 90.

168 In this respect both Hirst's platitudes to feminism and Barrett and McIntosh's criticisms that Donzelot does not take one of the limited range of 'sides' that they appear to believe possible, (p. 99) are basically wrong. Donzelot is more accurately understood as working upon a history in the manner of Foucault's history of the present (see chapter one on the History of the Present). As Foucault has suggested: "The essential political problem for the intellectual is not to criticise the ideological contents supposedly linked to science, or to ensure that his own scientific practice is accompanied by a correct ideology, but that of asserting the possibility of constituting a new politics of truth. The problem is not changing peoples consciousness – or what's in their heads – but the political, economical, institutional regime of the production of truth. It is not a matter of emancipating truth from every system of power (which would be a chimera for truth is already power) but of detaching the power of truth from the forms of hegemony, social, economic and cultural, within which it operates at the present time). M. Foucault, 'Truth and Power' in Gordon, Ed. (1980), p. 133). As W. Benjamin has suggested, the historical

materialist must "brush history against the grain". Donzelot is orchestrating a new history of the present, presumably in the hope of constituting a new resistance to its oppressions. See Donzelot, 1979, pp. 7-8.

169. See notes 167 and 168. Although Barrett and McIntosh's book now seems to have entered left-academic culture as the authoritative dismissal of Donzelot there is enough in their account to suggest that they have not grasped the basis of Donzelot's analysis or his political project. In fact, Barrett and McIntosh's critique is firmly rooted in the subjectivism of an essentially humanist sociology - subjects possessing capacities and realisable intentions - whereas a relational, or even dialectical, reading of social action is entirely absent in their book.
170. Ehrenreich and English, For Her Own Good, (1977) op.cit.
171. Bennett et al., (1981) op. cit. page 84.
172. Donzelot is quite clearly aware of precisely these culpabilities, he devotes a whole chapter, 'The Regulation of Images' to an investigation of the way in which the family was articulated onto a range of competing political programmes. However, whilst this manipulation of family imagery is without doubt significant (for example the capacity of the British Conservative party to portray itself, in 1979, as the 'party of the family') although Donzelot is adamant that such 'manipulation' by no means constitutes an adequate account of family development and social order.
Indeed our analysis cannot simply trace the actions of key individuals - the statesmen, administrators and capitalists referred to - we must first explain why certain capacities have come to attach to certain social positions.
173. Ehrenreich and English, (1977) page 25. The recently 'leaked' Think Tank document (1983), mobilised precisely such attitudes as part of its attempt to return women to 'domestic roles' and free jobs for the male unemployed. See, on the question of ideology, women's dual role and the economy, A. Showstack-Sassoon, 'Dual Role: Women and Britain's Crisis', Marxism Today, December, (1982), and on the question of Conservative Government policy, the ideology of domestication (ie. the returning of women to the home) and women's supposed 'true role', P. Lee, 'Welfare State: The Second Front Opens', Marxism Today, May (1983). Stressing the right-wing's philosophy of the family and the respective roles of the sexes, Lee cites an extract from the speech of Patrick Jenkin, a former Secretary of State for Social Services at the

1977 Conservative Party Conference. Jenkin remarked, "Quite frankly, I don't think mothers have the same right to work as fathers do. If the good Lord had intended us to have equal rights to go out to work, he wouldn't have created men and women. These are the biological facts." One might say a great deal about such a remark but for our purposes here it is enough to draw attention to the fictional 'right to work' Jenkin here asserts (for men at least). Lee interprets the philosophy of policy from which this snippet of commentary is derived as a 'rolling back of the social democratic carpet', this is fair enough, but aside from such 'immediate' political questions it is important to recognise the process of social changes which have brought these political developments upon us. Continuing to assert the autonomy of political development, closely tied to party-political fortunes, may well mean that we fail to see the most potent social changes as they occur around us.

174. Ehrenreich and English, (1977) page 163.

175 This class-fractured notion of equality in sexual relations is very apparent in right-wing social propaganda. The same families which appear in T.V. commercials appear in the family policy statements of the Conservative party. Thus we gain a remarkable understanding of apparently 'acceptable' (because affluent) sexual inequalities in the 'advanced-liberal family', that serves as the ideal arrangement of the contemporary household and its relationship to the labour market, from the Conservative Political Centre's publications on 'women's issues'. See in particular, Unhappy Families, Conservative Political Centre, (1969) and A Fair Deal for the Fair Sex, Conservative Political Centre, (1969).

Noticeably absent in either of these publications is any assessment of women's position in working class families or unskilled labour forces, where the discriminations of class and sex are compounded. Indeed, like so many other aspects of its 'social' policy, Conservative political practice on the relations of the sexes remains elitist, divisive and highly disciplinary. See Showstack-Sassoon, (1982) and Lee, (1983) op. cit.

176. A. V. John, By the Sweat of Their Brow: Women Workers and the Victorian Coal Mines, Croom Helm, (1980) pages 43-44. In a similar manner, R. W. Johnson has written that: "It was felt vital that the influence of the wife and mother, on the home, be emphasised." Quoted in *Ibid.* As John has written, it was hoped that the returning of

women to the home. "would have a beneficial effect on their husbands who would become sober, steady workmen, prepared to work for longer hours and produce more coal." (page 54) Finally, legislative intervention was urged "for the sake of future generations yet unborn, for the sake of the future mothers of our mining population and for the sake of the moral, social and physical welfare of the present generation itself." E. A. Rymer, 'The Martyrdom of the Mine', History Workshop Pamphlet, No. II, (1973) page 71.

177. Samuel Smiles, Self-Help quoted in A.V. John, (1980) page 44.
178. A.V. John, (1980) *ibid.*, and E. Wilson, Women and the Welfare State, Tavistock, (1977) pages 22-23.
179. See for example, A. V. John, (1980) *op. cit.*, P. Branca, Silent Sisterhood: Middle Class Women In the Victorian Home, Croom Helm, (1975), M. Vicinus, 'Introduction', to Suffer and Be Still University of Indiana Press, (1972), C. Christ, 'Victorian Masculinity and the Angel in the House', In Vicinus A Widening Sphere (1977), and C. Hall, 'The Early Formation of Victorian Domestic Ideology', In S. Burman Ed. Fit Work For Women Croom Helm, (1978).
180. C. Christ, *op. cit.*, (1977) reveals some of the ambiguities of this desexualisation and domestication of the middle-class victorian woman. Especially pertinent here are the questions that these developments posed about the sexuality of men - something that the official double standard of victorian morality did not have so much to say about and, certainly, did little to discourage. Yet is is here, in the restriction of female sexuality and the (implicitly) acknowledged libidiness of the male 'nature', that we encounter the hub of the class-divided strategy of the regulation of sexual relations. See J. L. L'Esperance, (1979) and J. R. Walkowitz, Prostitution and Victorian Society: Women, Class and The State, Cambridge University Press, (1980).
181. See K. O'Donovan, 'The Male Appendage - Legal Definitions of Women', In Burman, Ed. (1978), A. Summers, 'A Home from Home: Womens' Philanthropic Work In the 19th Century' In Burman, (1978), P. Branca, Silent Sisterhood, (1975), L. P. Hume and K. M. Offen, 'Victorian Women - Work', In Hellerstein, Hume and Offen, Victorian Women, Harvester Press, (1980), pages 272-291.
As F. K. Prochaska, (Women and Philanthropy In the 19th Century, 1980) has put it, "The claims of women to moral authority and greater social recognition depended upon public belief in their special and essential qualities." (page 8) Yet, ultimately, we are left in little doubt

- about the ambiguous nature of this union of ideals and practice.
182. A. M. Platt. The Child Savers: The Invention of Delinquency. University of Chicago Press. 2nd edition (1977).
 183. C. Lasch. The New Radicalism in America: 1889-1963. pages 63-64.
 184. Quoted In Platt. (1977) pages 78-79. The statement is clearly riddled with dire consequences. This key position of woman - mistress of the home - was so important that it was felt that she ought not to be left alone in their duties, some supervision of their domestic practice was necessary. Subsequently, women came to be seen as thoroughly fallible as the importance of her duties and their assumed complications escalated manifold. Control by a body of professional overseers was advocated, and in one form or another, it can be said to have arrived. See Ehrenreich and English. especially chapter 7. 'Motherhood as Pathology'.
 185. Prochaska. (1980) page 226. See also O. Banks. Faces of Feminism. Blackwells. (1981) chapter 6.
 186. Prochaska. (1977) page 8.
 187. Hannah More quoted in Prochaska. (1977) page 118, and Clara Lucas Balfour. Working Women of the Last Half Century: The Lesson of their Lives. (1854) page 169, quoted in Prochaska. page 125. Yet as Prochaska has shown, such arguments could, by extension, lead to an advocacy of the franchise for women too. Their contribution to charitable work being offered as a justification of their right to vote, voting being a further means by which the woman could fulfill her 'social duty', or so a number of contemporaries argued (Prochaska, pages 227-228).
 188. Prochaska. (1977) pages 6-12.
 189. In a sense, this remark seems to take the arguments of the period too much at their face value and poses, really, what is a false dichotomy. Philanthropic work and a woman's role in her home were not alternatives for a certain class of woman, rather, each was an indispensable part of her assumed social responsibilities. It was not assumed that the poor could be reformed once and for all at which point women would return to their homes, on the contrary, charity, reform and the mediation of social relationships between rich and poor was a permanent and on-going commitment.
 190. Prochaska. (1977) pages 97, 137.
 191. Branca. Silent Sisterhood. (1975) chapters 1 - 3, and Summers

- (1978) op. cit.
192. Prochaska, (1977) pages 137, 184-185, and O. Banks, (1981) pages 4-5.
 193. Prochaska, (1977) pages 110, 217.
 194. Walkowitz, (1980) page 37.
 195. J. L. L'Esperance, (1979) page 322.
 196. Ibid. page 329.
 197. Ibid. page 323.
 198. See Walkowitz, (1980) op. cit., and E. M. Slgsworth and T. J. Wyke, 'A Study of Victorian Prostitution and Venereal Disease', In *Vicinus* (1972).
 199. W. O'Neill, The Woman Movement, (1969) page 33ff.
 200. Walkowitz, (1980) page 7.
 201. L'Esperance, (1979) page 334.
 202. O'Neill, (1969) op. cit.
 203. L'Esperance, (1979) pages 337-338.
 204. Josephine Butler as referred to in Walkowitz, 'Introduction', (1980) pages 5-6, see also L'Esperance, (1979) pages 330-331, Bennett et al., (1981) pages 84-85.
 205. Rosalind Coward, Patriarchal Precedents, Routledge, (1983) pages 12 and 260. See also B. Taylor, 'Female Vice and Feminist Virtue', New Statesman, Jan. 23rd 1981, pages 16-17.
 206. See O'Neill, (1969) op. cit., and Evans, The Feminists, (1977).
 207. Banks, (1981) page 287.
 208. K. Myers, 'Towards a Feminist Erotica', Camerawork, March (1982) page 15, see also Coward, (1983) page 263.
 209. B. Taylor, 'Female Vice and Feminist Virtue', (1981) op. cit., page 17.
 210. Donzelot, (1980) page 7.
 211. Ibid., page 8.
 212. A number of authorities have asserted the symbolic, central, position of the Juvenile Court, both today and in the past. See Rothman, Conscience and Convenience, (1980) pages 221-225. Platt, The Child Savers, pages 9-10, 133-4 and 138-148. Platt cites the remark of C. L. Chute who remarked in 1949 that the Juvenile Court was "an integral part of total welfare planning." (page 10)
- Accordingly, one of the most significant aspects of the jurisdiction of the Juvenile Court and its practice of welfare (in line with the practice of political economy and the market) was that its intervention sought to

be preventative or, more accurately its authority could be pre-emptive in its contest with crime and delinquency; thus, "The state must step in and exercise guardianship over a child found under such adverse social or individual conditions as develop crime . . . It must not wait . . . but must seize upon the first indications of the propensity as they may be evinced in his conditions of neglect or delinquency." Chicago Bar Association Juvenile Court Committee, October 28th 1899, quoted on page 139 of The Child Savers.

In more recent years the apparent sphere of authority of this court has grown rather than diminished. To Mirlam Van Waters (author of Youth In Conflict and Parents on Probation) the principles of the Juvenile Court, based upon the legal principles of equity, were to have a thorough-going responsibility of almost limitless scope (and fairly idealised aspirations) viz: "the court is one of guardianship, not a penal court. . . Nothing that the child says can incriminate him in the court, because the object of the court is his welfare. Socialisation involves getting at the whole truth; nothing that is true and relevant should be excluded. Socialisation involves co-operation, constructive discipline, and the dynamic concept as expressed in the principle that an order in this court may be modified as life conditions are modified." Quoted in G. S. Cadbury, Young Offenders: Yesterday and Today, London, (1938) Indeed, it is interesting that this model of the welfare orientation of the interventionary Juvenile Court - an almost 'complete' jurisdictional access - is precisely the model envisaged by Bowlby. (See J. Bowlby, Child Care and the Growth of Love, Penguin (1953) pages 81-83.

213. Vicinus, 'Introduction', (1972) pages viii-ix. C. Christ (1977) op. cit.
214. Freedman and Hellerstein in Hellerstein et al., (1981) page 123.
215. See, for example, P. Hollis, Ed. Women In Public: The Womens Movement 1850-1900, a documentary history. RKP. (1979). Hellerstein et al. (1981) op. cit., and Prochaska, (1980).
216. P. Branca, Silent Sisterhood, (1975) see especially, chapter 2, 'Do's and Don'ts for the Mistress of the House.' And, L. Davidoff, 'The Rationalisation of Housework,' in Barker and Allen Ed. Dependence and Exploitation In Work and Marriage, Longmans/BSA (1976), and T. McBride, The Domestic Revolution, Croom Helm, (1976) page 15.
217. H. Martineau, 'Female Industry', Edinburgh Review, Vol. 109, (1859) quoted in Hollis, (1977) page 9.

218. C. Hall. 'The Early Formation of Victorian Domestic Ideology'. (1979) op. cit.
219. "The wealthy could buy themselves the exclusive services of a nurse but rarely her goodwill, and doctors suddenly discovered, in the behaviour of nurses the explanation for many of the defects that afflicted the children of rich parents. In the words of Buchan, 'One is sometimes surprised to see the children of upright and virtuous parents display from their earliest years, a fundamental baseness and malice. We can be certain that it is from their nurses that these children derive all their vices. They would have been decent if their mothers had nursed them.'" W. Buchan, Medecine Domestique, (1775) an early example of the rising popular discourse on health and hygiene, quoted in Donzelot (1980) pages 11-12.
220. Branca. (1975) page 25. McBride. (1976) pages 34-48. J. A. Banks, (Prosperity and Parenthood, 1954 page 73) has commented, however, that the desire to employ servants was an essential characteristic of the middle-class mentality of Victorian England, and a vital sign that the family had 'made it'. The employment of servants was an indispensable part of the definition of what it was to be middle class in the 19th century. See also J. F. C. Harrison, The Early Victorians - 1832-1851, London, (1971) pages 46, 110.
221. Branca. (1975) page 25, see also pages 15 and 27.
222. Ehrenreich and English. (1977) page 151. J. A. and O. Banks Feminism and Family Planning in Victorian England, New York, (1964) argue that the increasing exclusiveness of the middle-class family led to the desire to exclude intermediaries (such as servants) who might come between parents and children. Although this should not be taken to indicate that ideological factors alone were responsible for the demise of service. See McBride. (1976) pages 111-117.
223. See the earlier section on the rise of 'social feminism'. An alliance is perhaps an unusual term to apply where the respective powers of the two parties diverged so markedly. But, as Branca has indicated, it is clear that the domestic and medical advice tendered to women on their 'correct' roles offered them a route by which the middle-class woman could assume greater responsibility in household affairs.
224. McBride. (1976) page 28.
225. The timetable which, as Foucault has described, was crucial to the discipline of the 19th century penitentiary, transformed the day into a grid of "totally useful time" (Discipline and Punish, pages 149-156.).

But timetables were also important in the performance of the servant's tasks around the middle-class Victorian home. Domestic timetables proliferated, contemporary experts disputing the merits of a particular arrangement of tasks. Thus, it was not only in the factory that the 'commodification of time' proceeded apace. See E. P. Thompson, 'Time, Work-Discipline and in McBride, (1976) pages 29-30 and Davidoff, (1976) pages 130-135.

226. Fossangrives, Dictionnaire de la Sante, (1836) quoted in Donzelot, (1980) page 18.
227. Donzelot, (1980) page 19.
228. Ehrenreich and English, (1977) pages 120, 142-143, 172-177, 185, 154. Speaking of woman's 'alliance' with the market and the advertising industry, Ehrenreich and English cite the following extract from a 1960's text on the role of consumer education in mass-society (W. Rudy, Schools in an Age of Mass Culture, New Jersey, 1965). "It takes one to know one - could be said of women too! Certainly, only the bravest or most foolhardy of the stronger sex claims to grasp the workings of the female mind ... hence the growing importance of the home economist in marketing. She has the touch of the sociologist, a creative temperament, a background in the natural sciences - and the vaunted feminine touch. She is the home economist in marketing, a woman to convince women." (page 165.) See also, J.L. L'Esperance, (1979) page 330-333, and Prochaska (1980) pages 42-45, and J.T. Cumbler, 'The Politics of Charity: Gender and Class in late 19th Century Charity Policy', Journal of Social History Vol. 14, No. 1, (1980)
229. Donzelot, (1980) pages 20-21.
230. See Kay and Mott, (1982) op. cit. pages 85-91, Malthus, An Essay on The Principle of Population, op. cit. (1798, Penguin Ed. 1970), J. Annette, (1979) and Bentham, An Introduction to the Principles of Morals and Legislation, Univ. of London, Athlone Press, (1970)
231. See, for example, E. P. Thompson, The Making of the English Working Class, Penguin ed. (1963); and P. Hollis Ed., Class and Class Conflict in 19th Century England: 1815-1850, RKP (1973) pages 3-18. See also, Hearn, (1978) op. cit.
232. See Thompson, (1963) op. cit., and Hollis, (1979).
233. This is clear from the extracts that Hollis cites in her compilation of radical literature of the mid-19th century. The radicals attacked not simply 'Old Corruption' but also the rising 'science' of political

economy. As much is evident in the works of O'Brien: "Enormous taxation is no doubt an evil; but it is only one of a number of evils, many of them equally as oppressive as taxation and all growing out of and equally inseparable from, the present constitution of society ... RENTS, and TITHES and INTEREST of money, and tolls, and above all, of the profits realised on capital which is greater than the other burdens put together." B. O'Brien in The Operative Nov. 17th 1838. In Hollis page 13.

Nine years later, in 1847, O'Brien could write: "If we owe the government allegiance, it owes us, in return, protection. But what protection has a man from a government which suffers rapacious profit-mongers to take advantage of his poverty and make him a slave for life. As society is now constituted, the producing classes are mere slaves to capitalists and usurious profit-mongers. The wealth they produce is not their own. It is seized by the profit-monger the moment it comes into existence. And out of this slavery, the wretched producer can never hope to emerge; for the more wealth he produces, the greater is the power he gives his employer of oppressing him, and the more and more unfit he becomes, every day, for resistance." The National Reformer, Jan. 16th 1847, in Hollis page 25.

234. See Kay and Mott, (1982) where the emphasis is less emphatically upon these political themes as ideologies than as outcomes of the action of law and state on 'society' and as the vehicles of the emerging discourse of political economy. See also, P. Corrigan, State Formation and Moral Regulation, PhD Thesis, (1975), Corrigan Ed. Capitalism, State Formation and Marxist Theory, Quartet Books (1980), T. Nairn, 'The Twilight of the British State', in The Break-Up of Britain, Verso (1982), A. Silver, 'The Demand for Order in Civil Society' in J. Bordua, The Police: Six Sociological Essays, 1967, Hearn, (1978) op. cit., Thompson, (1963) op. cit., A. P. Donajkowski, Social Control in 19th Century Britain Croom Helm (1977). See also Hollis, (1973) op. cit.

235. See Kay and Mott's discussion of state action and the formation of population, (1983) chapter 2. Foucault, 'On Governmentality', Ideology and Consciousness No. 6, (1979). Ignatieff corroborates the view that 19th century political economy envisaged a far bigger project than we often give credit for. He suggests: "Smith's boundaries for 'economics' were vastly broader than our own. For Smith, and indeed for all the Scottish philosophers, political economy was not simply a

model for the laws of market equilibrium, but also a history of civil society, a historical sociology of the growth process ('the progress of arts and manufactures'), a theory of government, in its relation to the laws of civil society, and a theory of fiscal and economic policy. In modern parlance, political economy sought to express the inter-relationships of polity, economy and society, an inter-relationship which we now seek to grasp in the divided camps of sociology, economics, psychology and history which have emerged as the Balkanised fragments produced in the dissolution of the original 18th century project of a science of society." M. Ignatieff, 'Marxism and Classical Political Economy'. In People's History and Socialist Theory Ed. R. Samuel, RKP, (1981) page 345.

236. J. R. McCulloch, Principles of Political Economy, (1835) pages 316-337, quoted in Hollis, (1973) pages 37-38.
237. See Bauman, (1983) Kay and Mott, (1982) Marglin, (1976) and R. Hogg, 'Imprisonment and Society under Early English Capitalism', Crime and Social Justice No. 12, (1979) pages 4-5.
238. Kay and Mott, (1983) op. cit., and also see the 1847 statement of Bronterre O'Brien quoted above note 233.
239. M. E. Rose, 'Settlement, Removal and the New Poor Law' In Fraser, Ed. The New Poor Law in the 19th Century, Macmillan (1976), page 35.
240. Ibid., T. R. Sellin, Pioneering in Penology (1944), Rusche and Kirchheimer, Punishment and Social Structure, (1964) and M. A. Crowther, The Workhouse System, (1982).
241. B. Rodgers, Comparative Social Policy, 1974, J. MacNicol, The Movement for Family Allowances in Britain: 1918-1945 Heinemann, (1980) chapter 1.
242. Donzelot, (1979) pages 24-28, 167.
243. Ibid., pages 29-30.
244. Ibid., page 32.
245. Prochaska, (1978) page 110, including an extract from the 'Report of the Committee for the Visitation of Females at their own Homes in the City of Westminster', (1854). See also, J. Brown, 'Social Control and the Modernisation of Social Policy: 1890-1929', In Thane (1978). Brown comments: "The fear that the family was threatened which appeared in the 1890's ... arose partly from an exaggerated respect for the protection it offered its members against the hazards of life. In general, social policy never managed clearly to define the family

which was so often the focus of concern, nor to decide whether the main task lay in ensuring the observance of ties which were in danger of neglect, or in supplementing an effective net of kinship and help." (page 135.) See also J. MacNicol, 'Family Allowances and Less-Eligibility', in Thane, (1978).

246. A. V. John, (1980) op. cit., and Prochaska (1978) page 42. Ehrenreich and English, (1977) pages 167-9. As Donzelot has described, (pages 36-46) the means of supervising the working-class entailed a "shepherding of the child back to the spaces where he (sic) could be more closely watched: the school or the family dwelling." Thus the new authority of the family was to be a derivative authority, at any time revokable if parental performance proved unsatisfactory. In this way, the family was re-instituted but on the basis of remarkably diminished capacities. See Jones and Williamson, 'The Birth of the Schoolroom', Ideology and Consciousness No. 6, (1979), also Rothman, Conscience and Convenience, op. cit., (1980) pages 221-222, and A. Platt, The Child-Savers, (1977) op. cit. pages 123-134, and G. Burchell, 'A Note on Juvenile Justice', Ideology and Consciousness no. 5, (1979). Other forms of action and 'intervention', explicitly, the 'workhouse test' and more implicitly the activities of the 'moral investigators' formed other, and often punitive, lines of connection between 'authority' and the interior relationships of the working class family.
247. For an indication of the stages of this passing of the supposed 'former glory' of the bourgeois family see the crucial debates on the passage of the 'Married Woman's Property Acts', for example, L. Holcombe, 'Victorian Wives and Property: Reform of the Married Woman's Property Law 1857-1882', in Vicinus, Ed. (1977), and Hellerstein et al., 'Victorian Women: The Laws and Rituals of Marriage', pages 161-166 and 250-260. See also, P. Branca, (1975) op. cit., pages 8-9.
248. Mr Karslake M.P., House of Commons, 10th June 1868, Hansard, quoted in Hollis, (1977) page 194.
249. Donzelot, (1980) chapter 3. See also note 246 above.
250. Ehrenreich and English, (1977) page 11fn.
251. R. Coward, Patriarchal Precedents, (1983) page 263.
252. Kay and Mott, (1982) page 70.
253. We have here the 'policing' to which Chitty, (1816) and Cooper, (1830) have referred and which Kay and Mott (and Ignatieff to some extent) have identified as akin to Adam Smith's usage of 'policing'

within the strategy of political economy. See, for example, K. Haakonssen, The Science of the Legislator: The Natural Jurisprudence of David Hume and Adam Smith, Cambridge Univ. Press, (1981). This 'policing', as administrative activity, commonly took the form of elaborate regulations issued from the sovereign authority and could comprise, "questions of general security, of criminality, of heresy, the various aspects of feudal life: the regulation of pastures, hunting and fishing and of forests, meadows and vineyards; the control over crafts; the maintenance of roads, bridges, and (navigation) of rivers; the revision of tolls; the maintenance of a uniform currency; the policing of fairs and markets; the export of salt, iron, wine and wheat; and the prices of meals at inns." L. Febvre, quoted in G. Poggi, The Development of the Modern State, page 45, see also page 64, (1978). As Haakonssen shows, the relation between political economy and political order in Smith's jurisprudence was very close. On the one hand, cohesion was to be organised through the state and 'police regulations', viz: "the relationship between the three areas of government duties is given with Smith's order of priority. Defence over-rules everything else. The well-known maxim that 'defence ... is of much more importance than opulence' is not called in simply to justify the Navigation Act in free trade. It is a quite basic idea with Smith that without some power of defence there is no society... Without that there cannot be the minimum of social cohesion ... 'not only is the security of persons in danger but the very being of the state'." (pages 94-95) On the other hand, 'police regulation' extended in detail to matters of trade - matters affecting the general 'public good'. "Punishment in the area of 'police' is illustrated with the one time death penalty for the exportation of wool [whereas] the punishments in cases of smuggling seem to be nothing but part of the general revenue system." (page 121) Elsewhere, Haakonssen considers the 'police measures' introduced in a number of areas as forms of 'corporatism' - "measures introduced early in the development of manufacture and commerce before the market was strong enough to carry a complete division of occupations in a given city." (page 173)

Yet we must also consider another side of this policing activity - its disciplinary side - geared less to the advancement of principles of security and happiness among its subjects than to the enhancement of their subjection or exclusion. Haakonssen shows how Smith regarded an absence of 'police regulation' detrimental to political order. The

object of his concern was a familiar group, the "class of people ... excluded from maintaining themselves by regular employment in manufacturing and thus from bettering themselves. The difference between rich and poor [would] remain extreme, turning the poor freeman into a socially and politically free-floating body who inevitably become a tool for unsettling the balance of power." (page 181) In terms of the industrialising capitalist economy, this 'policing' took a very obvious form as it 'chaperoned' the poor in accordance with the dictates of political economy, assisting in the transformation of 'the dangerous class' into 'the working class'. (Chevaller, Labouring Classes and Dangerous Classes in Paris During the 19th Century RKP, 1973). A concise, yet thorough explication of the state as the guarantor of the science and practices of 'police' is contained in Pasquino, (1978). In Pasquino's reconstruction of the facets of 'police', two central components stand out – information and happiness – the former a precursor of the sciences of statistics and demography, the latter a primitive form of the state's initiatives in legitimation: political security and social policy. See also, F. L. Kneyemer, 'Polizei', Economy and Society, Vol. 9, No. 2, (1980). As Kneyemer has put it, "the concerns of 'polizei' extended far beyond the domain of those objects treated in the Reichspolizeiordnungen and included all those areas where state power entered into social life." (Page 181) This specification of the concept of police and its contents is similar to Pasquino's formulations. A recent attempt to deal with these issues under the rubric of an attempt to regroup questions of the foundation of state power and political authority under a marxist critique of political economy and capitalism is found in Kay and Mott's work. Political order and authority, according to Kay and Mott, rests upon the capitalist exploitation of labour power and the intensification of the relations of production and accumulation.

Following Kneyemer, Kay and Mott argue, "Today one would refer to the internal policy of the administration rather than the science of police, but this would obscure the important point that it was concerned with the substantial content of order as well as its formal preservation." (cf. Phil Cohen's account in 'Policing the Working Class City', of the way in which the police are "still confronted with the impossible choice of enforcing law or order." Page 130.) Kay and Mott continue, "the concept of police did not come into the world fully formalised, and the actual institutions of police were not fully organised in the state as a

special branch of the division of labour acting on civil society. In other words, 'police' emerged prior to the formal separation of violence from the methods and content of order. Even before its full formalisation it proliferated into a series of special branches: Medical Police, Lunacy Police, etc. It was only when economics was established as an independent science that narrowed its attention to the production of wealth and the division of labour, that wider questions of sovereignty were hived off and dealt with separately under the head of jurisprudence." (Pages 126-127.)

The more explicit and disciplinary form of policing is discussed in P. Cohen, 'Policing the Working Class City', in NDC/CSE Eds. Capitalism and The Rule of Law, (1979). Cohen writes of the transformations in the patterns of discipline and the changing urban environment in the late 19th century. "these changes, small in themselves, nevertheless combined to alter the contexts of policing and the practices of social control at street-level. In this process the local working class had become more sedimented, less autonomous, their public behaviour to an extent domesticated by an urban environment which was beginning to bear the first marks of properly capitalist planning." Cohen goes on to point out the ways in which, at this point, the new urban environment fostered the rift between parent culture and street culture which, in relation to the limited youth labour market opportunities, confirmed the streets of the working class city as a dangerous place, and youth as a dangerous time. Familiar stuff.

254. P. Pasquino, (1978), op. cit. page 47.
255. See for example, C. Lis and H. Soly, Poverty and Capitalism In Pre-Industrial Europe, especially chapter 4, Harvester, (1982). B. Green, Knowing the Poor, RKP, (1982). G. R. Poynter, Society and Pauperism (1969) and P. Corrigan, 'Towards a History of State Formation', in Corrigan Ed. (1979)
256. As is clear from their reports, the moral 'entrepreneurs', social investigators and philanthropists of the 19th century paid a great deal of attention to the mere outward appearances of poverty but left substantially unquestioned the fact of its structural causation. This was hardly a mere oversight. The investigator-philanthropists were encouraged to discriminate, chastise and admonish where circumstance dictated. Their frame of reference was inherently individual; see C. S. Loch, How to Help, (1883) op. cit. This attention to the condition of the individual rather than to the nature of the social order was in itself

a major 'revolution' in socio-political thought. See Foucault, (1977) pages 192-194, and Donzelot, (1980) pages 60-61. The ultimate effect of this transformation, under the auspices of political economy, was the transference of the responsibility, for the existence of poverty, from the social system to the poor themselves.

257. The 'new politics of needs' has been discussed at an earlier point. The issues in question can be further elaborated by noting Kay and Mott's classical 'marxist' reading of this new politics. They have interpreted the dictatorship of needs as deriving from needs defined negatively on the basis of a 'state of nature' in the Hobbesian sense rather than from future possibilities - the state of abundance pointed to by Marx. See Kay and Mott (1982) chapter 1.
258. Donzelot, (1979) page 64.
259. See Donzelot, 'The Poverty of Political Culture', in Ideology and Consciousness, No. 5, (1979) where the reduction of 'politics' to 'technique' is envisaged.
260. See F. Hearn, (1978) op. cit., J. Foster, Class Struggle and the Industrial Revolution, Methuen U. P. (1976), P. Joyce, Work, Society and Politics: The Culture of the Factory in 19th Century Britain, Harvester (1978). For further discussion of the divisions within the working class, the 'labour aristocracy' and the politics of incorporation, see note 293, below.
261. As much was evident from the mid-century proliferation of statistical societies having 'social conditions', 'health' and 'reform' as their principle objectives. This combination of concerns did lead to 'social reform' of all kinds but, equally, also contributed to advances in statistical methods concepts and technique. See M.J. Cullen, (1975) op. cit., MacKenzie, (1981) op. cit., J. M. Eyler, Victorian Social Medicine, (1980) and D. Ritt, The National Association for The Promotion of Social Science, PhD Thesis, U.S.A. (1959). See also the discussion (chapter three) on the formulation of information and statistics on the 'poor and criminal' classes.
262. Thus it is possible to see this educative zeal shown by reformers as the heart of an attack by the advocates of political and economic reform on the working class family, its moral codes, lines of dependency, solidarities and immediate economic interests. See J. Hurt, Elementary Schooling and the Working Class, RKP 1982. Jones and Williamson, 'The Birth of the Schoolroom', (1979) op cit. See also the divergent opinions raised on the subject of education in Hollis, (1973)

- pages 332-336, and Evans, (1978) pages 89-99, 146, 191-192, and R. Johnson, 'Educating the Educators: Experts and the State: 1832-39'. In Donajkowski, (1977) op. cit., and Johnson, 'Educational Policy and Social Control', In Past and Present, No. 49, (1970).
263. Jones and Williamson, (1979) op. cit., quoting Sir Thomas Bernard, Of The Education of The Poor, London, (1809).
264. Hurt, (1980) op. cit.
265. P. Joyce, (1979) op. cit., pages 172-174. M. Bruce, The Coming of the Welfare State, 4th Ed. Batsford, (1972) pages 146-147. Meanwhile, Evans, (1978) quotes from a letter of Mr. A. J. Mundella (26th, June, 1880) on the matter of the compulsory bills before the House of Lords seeking to 'harmonise' the provisions of the Factory and Education Acts. Mundella clearly indicates the complementarity of the two areas of state policy.
266. See P. Thane, The Foundations of the Welfare State, Longmans, (1982) pages 40-41, and the First Report of the Commission of Enquiry Into Factories, 25th June, 1833, Parliamentary Papers I, Vol. XX, pages 35-36, 55-56, 75, quoted in Evans, (1978) pages 44-46.
267. D. Fraser, The Evolution of the British Welfare State, Macmillan, (1974) page 74. Although, clearly, as a number of contemporaries argued, the apparent vice and indigence of the working class and their children was a particularly constant and pressing deficiency.
268. In Foucault's Discipline and Punish, (1977) pages 178-180 ff. these disciplinary forms of organisation, social arrangement and control are elaborated in fascinating detail. For Foucault, of course, it was the prison's specific task to ensure that its subjects were effectively rendered administrable - this was the discipline the prison embodied - thus the prison can properly be said to have produced discipline. In the factory, however, a more tangible 'production' was also required, thus the factory produced not only surplus value and capital, but also discipline and hierarchy. See Bauman, (1983) chapter 1, Kay Mott, (1982) Marglin, (1976) and above all, D. Melossi and M. Pavarini, The Prison and The Factory, Macmillan, (1981).
269. Donzelot, (1979) page 82.
270. ibid.
271. C. S. Loch, How to Help In Cases of Distress, Charity Organisation Society, London, (1882) page 36.
272. See Brown (1978) op. cit., pages 128-135 for the particular

preoccupations of family and welfare law in England. Also N. Middleton, When Family Failed, Victor Gollancz, (1972).

273. Donzelot, (1979) page 85.

274. See the later discussion of the 'field action' of the social state in which Beveridge came to be especially significant. Sufficient of this 'logic' of control is apparent in Beveridge's Unemployment: A Problem of Industry, (1909), whilst an excellent study of the life and ideas of Beveridge is provided in J. Harris, William Beveridge: A Biography, Oxford, (1978).

275. Donzelot, (1980) page 91.

276. As Donzelot (1979) has explained it (page 94), the family and the social sector are less adequately seen as separate institutions but rather, more usefully, as a mechanism. "It is through the disparity of the familial configuration (the working class and bourgeois bipolarity), the variances between individual interests and the family interest, that this mechanism operates. Its strength lies in a social architectonics whose characteristic feature is always to couple an exterior intervention with conflicts or differences of potential within the family: the protection of poor children which allowed for the destruction of the family as an island of resistance; the privileged alliance of doctor and educator with the wife for developing procedures of savings, educational promotion, and so on."

And, he adds, by way of giving sense to the double-sided nature of inclusion/exclusion or marginalisation/incorporation: "It could even be said that this familial mechanism is effective only to the extent that the family does not reproduce the established order." (Ibid., page 94) See also, M. Rustin, 'Social Work and the Family,' in Parry et al. (1979), G. Burchell, 'Putting the Child in Its Place', Ideology and Consciousness, No. 7, (1981) and Dingwall et al., The Protection of Children, Academic Press, (1983).

277. This relocation of the family through the interventionary practices of state social apparatuses is (obviously) more thoroughly achieved in the present day than at the turn of the century. Dingwall et al. (1983) employing Donzelot's insights have described the pattern of 'welfare' interventions whereby parental authority is hedged, circumscribed and utilised apparently in, as the saying goes, 'the best interests of the child'. See Dingwall et al. The Protection of Children, (1983) op. cit. and also Burchell's critique of 'therapeutic interventions' in his article, 'Putting the Child in Its Place' (1981) op. cit.

For more historical treatments of similar sets of dilemmas see, for example, M. Van Waters, Parents on Probation, cited in G. S. Cadbury, Young Offenders: Yesterday and Today, (1938). As we have seen, however, this strategy was not without its contradictions and difficulties, see Brown, (1978) op. cit., and J. Fido's account of the investigatory and interventionist methods of the C. O. S. 'The Charity Organisation Society and Social Casework in London: 1869-1900', (1977). Similar ambiguities about the 'private reserve' of family life and the necessary social welfare imperative which demanded intervention crop up in Loch's, How to Help in Cases of Distress, (1882) op. cit. Stedman-Jones, (1971), Harris, (1972), Jones and Novak, 'The State and Social Policy', (1979) all begin to elaborate the socio-political consequences of this social welfare establishment and its interventionary practice, for the working class. See also, Note 209, above.

278. See Donzelot, (1980) pages 82-85, Ehrenreich and English, (1977) pages 100-106, whilst MacNicol, (1980) discusses the eugenicist strain of discourse which contributed to support for Family Allowances in the early years; on this see also, Rose, (1979) op. cit. Although, of course, the idea, that children - the next generation - must be carefully screened as to their physical and moral suitability, is fairly widespread in eugenicist literature (eg. Burt) and commentaries upon it, it is useful to have the concerns of contemporaries so clearly and explicitly put.
279. Donzelot, (1980) pages 12-14, S. Marcus, The Other Victorians, Weidenfeld and Nicholson, (1964), M. Foucault, The History of Sexuality, Allen Lane, (1978), pages 44-49, 57-62, J. Weeks, Sex, Politics and Society, Longmans, (1981) especially chapters 2-3, R. Tannahill, Sex in History, Hollen Press, (1980) especially chapter 13, R. Pearsall, The Worm in the Bud, Penguin (1969), and F. Harrison, The Dark Angel: Aspects of Victorian Sexuality, Penguin (1977).
280. Donzelot, (1980) *ibid.* Marcus, (1964) op. cit., elaborates this 'political economy of the body' theme with particular force. As he describes the 19th century discourse on sexuality, it is clear that the human body can be very closely equated to the social body. Each, seen through the lens of political economy, is represented as a productive system, viz: "In the masturbating boy, the large expenditure of semen has exhausted the vital force," and the consequences of such a mis-spent youth appear in the figure of the degenerate. Likewise, lack of sound economy in the body politic in relation to the

administration of vital resources leads to the weakening of the constitution. (pages 21-22) It is particularly appropriate that this apparent ubiquity of the logic of political economy should find so many applications. The languages of production, desire and economic restraint entered many diverse relations in a series of dialectical progressions by which political economy and the liberation of desires superceded the discourses of puritan morality and sexual repression. The dictates of political economy and eugenics and advice on sexual continence (no doubt a class strategy projected at the proliferation of working class children) combined in such a fortuitous way for the political economist and philanthropist intent upon securing a stable moral order. Indeed the intricate patterning of discourse of sexuality upon the discourse of political economy are further evidence of the way in which, as Marcus has put it, "The primitive dream of capitalism is fulfilled in the primitive dream of the body." (pages 243-244) Perhaps it is best to leave it to the reader to discover for him/herself the precise way in which this, at first sight, unusual relationship is conceived.

281 The social state is, as has been suggested, very closely tied to the political developments which forged lines of alliance between the state and the population - specifically the working class - through families. The projects of the social state could be blatantly imperialistic, eugenicist and openly racist - but in terms of the definition of the social state this is of little consequence. Here we are concerned primarily with societal practices organised by the state with a general notion of population 'welfare' in ultimate view. Thus the racist family policies of the German national socialists in the 1930's can plainly be seen as 'social' policies: see H. P. Bleuel, Strength Through Joy (1973), the eugenicist inspired IQ testing in Britain, similarly, insofar as it directly addressed questions of social order, cannot be seen as anything but social policy. Finally, the proposals of the Swedish social democrats, the Myrdals, in the 1940's and 1950's for the development of a revamped Swedish family policy - which contemporaries vehemently attacked as nationalistic in inspiration - could hardly be seen in any other 'light' than 'the Social'. Indeed who could conceive of the Myrdals as anything but proselytes of the 'the Social'.

In short, as Titmuss has shown, we should not be led into the misperception that social policy is inherently and indissolubly 'beneficial', wholesome and good. Indeed, with the legacy of the

social that has been revealed here, the wonder is that this illusion of the beneficent progression of well-being has persisted for so long. See Tltmuss, 'The Limits of the Welfare State', New Left Review (1964).

282. See above discussion, especially in relation to the combination of judicial and philanthropic practices in one intervention, and note 271, above. An interrogation of this supposed distinction between welfare and control is found in Squires, 'Internal Security and Social Insecurity', (1982), and Donajkowski, 'Introduction', (1977), in Brown (1978) and, in the context of a low-key philosophical discussion of the essentials of social work, in P. Day, Social Work and Social Control, Tavistock, (1981). Kay and Mott have, quite cleverly, picked out the basic elements of social work intervention and its capacity for control based around the fundamental principles of casework and interview. Thus there was no dichotomy of 'welfare and control' in C. S. Loch's How to Help handbook quoted earlier, yet social work – at once the discourse and practice which most effectively synthesises the two elements, is precisely the most vociferous advocate of their conceptual separation. Yet it was, as Hodges and Hussain (1979 op. cit.) suggest, the crucial contribution of social work that it ensured "the coupling of assistance with scrutiny and investigation ... and ... also the coupling of the assistencial with the penal." (page 108) See also, D. Garland, 'The Birth of the Welfare Sanction', (1981).
283. Medical, social, eugenicist and moral and religious commentators appeared to confer on this very point: for example, "The Main Social Problem ... was that of the biological and psychological condition of working class children and youth, who, it was assumed were hereditarily and genetically inferior to their middle class counterparts and whose culture symbolised for many observers the physical and mental deterioration of the British race." Humphries, Hooligans or Rebels, Blackwells, (1981). Alternatively, in 1907, George Sims (author of The Black Stain, London, 1907) could write: "the vital factor in the future of the British Empire is the child ... the tortured children who suffer and survive only do so with stunted bodies and enfeebled minds to become the physical, mental and moral wreckage which burdens the state and fills the lunatic asylums, the workhouses and the gaols. Against the guilt of race suicide our men of science are everywhere preaching this sermon today. It is against the guilt of race murder that the cry of the children should ring through the land."

(page 150) Such views were, of course, widespread and enduring. A particularly broad approach to the study of this pathogenic phenomenon, though, in 1936, rather late for our present purposes, is C. P. Blacker's The Social Problem Group, (1936) where a range of 'presenting symptoms' of pathology are collated in their relation to the poor. Blacker's collection of articles is quite important for it provides the transition to the more modern discourse of social pathology taken up by Barbara Wooton.

In the once influential work of Charles Burt (The Young Delinquent, London, 1931 edition) we find a host of factors predisposing the young to criminality and disobedience, indiscipline and the moral failings of parents are among these, but the 'real problems' consist within the pathological and fractured relationships within the family, viz: "many outbreaks of juvenile crime arise ultimately out of the emotional relationships subsisting between the child himself and the various members of his family. The real difficulty resides, not so much in the external and obvious defects of the home - poverty, unemployment, neglect, weak discipline - as in the inner complicated tangle of habits, attitudes and reactions that have grown up in the minds of the more active inmates. Nearly every tragedy of crime is, in its origins, a drama of domestic life; and each actor in the plot must be studied, individually and sympathetically from his own particular standpoint. Often, by a little tactful discussion, the different members - father, mother, brothers and sisters - can be brought at length to realise the part that they themselves have played in the evolution of a final crisis; and may prove willing to modify, under expert guidance, any practices, inclinations that may be tending to break up the life of the family." Burt, (1931) page 124.

As will be demonstrated at a later point, these kinds of accounts of 'family failure' were very easily transformed into tales of motherhood as pathology by a whole host of counsellors and other 'experts' on the family. Seizing a firm hold of the Victorian ideals of womanhood the socio-psychological investigators perceived, in the conditions of life of many working class families, the unmistakeable signs of a mother's non-performance. Blacker, for one, made precisely such allegations in his presidential address to the N.U.T. in 1901. "My first plea is for the child, the neglected child, whose present condition deserves public attention, because there are . . . indications that the welfare of society and of the nation are seriously menaced by the lawlessness which

springs from defective control, mainly owing to the unwillingness or inability of parents to carry out the duties of their position ... There is no parental influence here ... And there are mothers! When we think of 'mother', what endearing and noble images arise in the mind. Yet there are mothers so degraded, so utterly unworthy of their name, so lost to all sense of their duties and privileges, that savage women ignorant of all Christianity are in such respects their superiors... How can the schools and their purer atmosphere overcome the habitual intimacy which springs from debased and debasing surroundings." (Blacker, N.U.T. Address 1901, in Humphries, (1981) page 18.)

Not surprisingly (and perhaps somewhat charitably), Humphries concludes, "The bulk of the delinquent case studies produced by the pathological school are at best of limited historical value and, at worst, directly misleading, for although they provide a wealth of detail about individual attitudes, temperament, parentage and so on, they use a faulty methodology for measuring intelligence and personality and fail to situate behaviour in the broader class context of poverty, inequality and exploitation." (Humphries, *Ibid.*) And as we have seen, Burt, for one, was single-minded in his efforts to deny that poverty was a significant influence at all.

This theme of fractured and problematic familial relationships contributing to the problems of delinquency and indiscipline is fairly common. It is even more usual for the problem of familial relationships to be attached to accusations of moral blame and the irresponsibility of parents in the socialisation of their children. A familiar theme this, see also G. Pearson, Hooligan: A History of Respectable Fears, Macmillan (1983) where the perennial cause of juvenile indiscipline has been seen to lie in the families of 'irresponsible' working class people. Unsurprisingly, this was also the predominant early theme after the 1981 riots in British cities, see Ignatieff, 'It's a Riot', London Review of Books, July, (1981).

It seems that American literature on the family, eugenics and delinquency is particularly prolific – the relatively larger numbers of minority ethnic groups (frequently poor) may well be significant here. A good deal of this work was summarised in 1893 for the U.S. Bureau of Education by A. MacDonald in a study entitled Abnormal Man: Essays in Education, Crime and Related Subjects, Washington Government Printing Office. Particularly common were studies deriving from anthropological methods (i.e. incorporated via Lombroso and the

Italian school of 'criminal anthropology') of delinquent, pathological or abnormal family groups (hence criminal anthropologies of family trees). Particularly famous studies of this type include: R. L. Dugdale's The Jukes: A study in Crime, Pauperism, Disease and Heredity, New York, (1910); and C. L. Brace's The Dangerous Classes of New York and 20 Years Work amongst Them New York, (1872).

Yet despite each approaching its subject from the hackneyed perspective of 'criminal anthropology' the language of moral condemnation, blame, attributions of irresponsibility and contempt echo through the texts. In 1937, A. E. Fink summarised and criticised a good deal of these works and the schools of thought upon which they were based in, Biological Theories of Crime, (1937).

284. See Jones and Williamson, 'The Birth of the Schoolroom', (1979) op. cit., Donzelot, (1979) page 215. Note 212. above, discusses the way in which the child became the object of a jurisdiction which took him/her outside the exclusive authority of the family becoming, in the process the means by which the state dictated the responsibilities of parents. Indeed as suggested earlier, under the general tactic of 'normalisation' the school was to figure strongly - as a machinery of moral training - in that through the child, an educative influence was to be brought to bear upon the parents. See Jones and Williamson, op. cit., and notes 263-264 above.

It ought to be quite clear, it was quite normal that the techniques of philanthropy and education be employed in this way. In a number of contexts and in a variety of ways, it is possible to see philanthropy and education as the twin poles of the state's executive action complementing the extension of social divisions in the emerging capitalist industrial society by securing the social (occupational, status, moral and aspirational) ranking and incorporation of the working population. By encouraging promotional aspirations and in certain (selected) cases, actually assisting families and individuals (but usually families) in their schemes of social betterment, philanthropists encouraged a limited reciprocity between rich and poor (See G. S. Jones, (1971), J. Harris, (1972) and J. Fido, (1977).) and aided and abetted the inculcation of bourgeois values and the adoption of an alien 'culture of respectability' in better-off working class communities. According to Bailey: "Respectability primarily enjoined moral rectitude, but in addition, it demanded economic continence and self-sufficiency. Though its possession was a badge of conformity, its attainment was a

matter of Independent and Individual achievement through an ongoing process of self-discipline and self-improvement." (P. Bailey, 'Will the Real Bill Banks Please Stand Up? Towards a Role Analysis of Mid-Victorian Working Class Respectability', Journal of Social History, Vol. 12, Number 3, (1979).) It is a matter of some considerable dispute as to whether this respectability is related to reformism as a political creed (and if so in what ways) as the later discussion of 'incorporation' and the labour 'aristocracy' will show. (See T. R. Tholfson, Working Class Radicalism in Mid-Victorian England, London, (1976) pages 17-18, 216-221.) Indeed it is interesting that whilst both Marx and Engels had little time for the 'residuum' and were quick to castigate its reactionary nature, Engels certainly, had little time for respectability either. In 1889 he wrote that respectability and the submission it entailed represented "the most repulsive thing" about the English working class. (Engels, 'Letter to Ronge: 7/12/1889', in Marx and Engels on Britain, Moscow, (1953) pages 522-523.

285. Donzelot, (1979) page 168. Thus Donzelot has characterised the liberal-philanthropic schema in which, as N. Rose (1979) suggests, "socialisation is the penalty for neglecting one's obligations to society" (page 37).

At base, tutelage consisted of tactics of incorporation and legitimation. It accepted class society as a 'given' social universe and sought the accommodation and reconciliation of aspirations to it (the ultimate objective of 'the Social' as a historical strategy). The emphasis placed by Bowlby (1953, op. cit.) upon a notional 'social capacity' - the acceptance and achievement of certain values and competences within the existing society - is indicative of just such a tailoring of 'appropriate' social aspirations. (Bowlby, pages 44-47.) On a more sociological plane, Thernstrom's analysis of social mobility in a 19th century city (Poverty and Progress, Harvard Univ. Press, 1964) makes explicit some of the adaptive mechanisms by which social cohesion, the social aspirations of classes, and their attitudes of deference are formulated. Thus, "Without an opportunity to share in the material prosperity of a country, the impoverished labourer 'was said to regard the whole structure of society, which holds him in this condition as an inhabitant of a conquered territory looks upon a citadel of the conquerors'. He was therefore 'naturally' and even 'justifiably' an enemy of the government claiming his allegiance, and a grave threat to the social order. An explicit purpose of savings banks was to avert

class conflict by uplifting the lower class and making its members [into] contented bourgeois." (Thernstrom, page 123.) This tactic was undeniably devisive, on the one hand, workers were only to be helped "to help themselves" (echoes of Smiles), whilst on the other hand the promise of 'security through thrift' was significant insofar as it offered 'security' at all as a reward (ie, security from what? ... or from who?). Contemporaries made it a little clearer when admitting that the security was to be offered to "all the workers ... except the most unfortunate or the most vicious", the latter, presumably, being the target against whom the security was to operate. The strategy of "bringing the workers into the class of capitalists" has long figured on the social reformist route to societal cohesion, but the division it crystallises between classes has only very seldom been admitted. See Thernstrom, (1964) pages 122-137 and Tomlinson, (1982). According to Haakonssen, Adam Smith was fully aware of what he regarded as the political benefits of the capitalist form of production - not only as regards commercial success, but also political security. "In modern Europe, as slavery disappears and production and commerce are carried out by freemen, the problem of defence ... will be further mitigated ... by the much greater opulence which production by freemen leads to. The full benefit of this form of production, however, is only achieved if it establishes a graduated ladder of ranks through which wealth and luxury can spread, and which will make it possible for people to work their way up - or at least think that they can do so - instead of resorting to adventurous political means." (page 181)

286. It is interesting how the primitive 'psychology and eugenics' of the C. O. S. and the early 'social philanthropists' (cf. Loch, 1882 and Fido, 1977) merged into the crude psychoanalysis of the Family Welfare Association, and the Family Service Units, with hardly a change of object, direction of 'gaze' or imputation of pathology. See N. Timms, The Problem of the Problem Family, (1951), and B. Wooton, Social Science and Social Pathology, op. cit., (1955). The journal of the Family Welfare Association, 'Social Work', makes fascinating reading for a study of the mid-20th century discourse of crude psychoanalytic family pathology.
287. See P. Hirst and P. Woolley, Social Relations and Human Attributes, Tavistock, (1982) page 141.
288. R. Coward, Patriarchal Precedents, (1983) op. cit., page 222.
289. It is reasonable to assume that this factor is precisely the key to the

ambiguity of social policies centring upon the family. The contradictory imperatives dictating policy in respect of the family have long laboured over this tension. The complexities of social intervention in relation to the control of the family or the family's autonomy have long taxed the social planners in the field of family policy. Like Brown, (1978), Townsend has expressed something of this ambiguity in relation to the family, socialist politics and social policy. See P. Townsend, 'A Society for People', in Conviction, (1958): "Traditionally socialists have ignored the family or they have openly tried to weaken it - alleging nepotism and the restrictions placed upon individual fulfillment by family ties. Extreme attempts to create societies on a basis other than the family have failed dismally." (Page 119-120.) See also E. Wilson, Women and the Welfare State, Tavistock, (1977) pages 10-12.

290. See Donzelot, (1980) pages 194-198 and parts C and D of chapter 5, Ehrenreich and English, (1977) pages 17, 169, 220-223, E. Wilson, Halfway to Paradise, Tavistock, (1980) chapter 4 and pages 91-101, J. Weeks, (1981) pages 201-214, Barrett and McIntosh, (1982) chapter 1, J. Naughton, 'The Ad-Man's Woman', Sunday Times Review Supplement, 22/11/1981 and, for a more historically oriented examination of these questions of familial norms, aspirations and parental desires, see Davidoff, L'Esperance and Newby, 'Landscape With Figures: Home and Community In English Society', in Mitchell and Oakley, The Rights and Wrongs of Women, (1976) pages 170-175.
291. It is important to keep re-emphasising the relationship of the 'social' developments, to which Donzelot has referred, not only in order to 'situate' them within an account of the making and remaking of class, authority and social division but, also, to overcome the problem, identified by Hodges and Hussain of the coherence of Donzelot's account. They attempt to discover what it is that gives the social apparatuses, identified by Donzelot, their degree of apparent coherence. See Hodges and Hussain, (1979) op. cit.
292. J. Lea, 'Discipline and Capitalist Development', (1979), D. Melossi, 'Institutions of Social Control and the Capitalist Organisation of Work', (1979), P. Joyce, (1980) and also M. Berg, The Machinery Question and the Making of Political Economy: 1815-1848, Cambridge Univ. Press, (1980) chapters 3-4.
293. See for instance, E. J. Hobsbawm, 'The Labour Aristocracy in 19th Century Britain', in his Labouring Men, (1968), J. Foster, Class Struggle and the Industrial Revolution, (1974), H. F. Moorhouse,

'The Marxist Theory of the Labour Aristocracy', and A. Reid, 'Politics and Economics In the Formation of the British Working Class - A Reply to Moorhouse', both in Social History, Vol. 3, No. 3, (1978). A. E. Musson, 'Class Struggle and the Labour Aristocracy: 1830-1860', and J. Foster, 'Some Comments on 'Class Struggle and the Labour Aristocracy' by A. E. Musson', both in Social History Vol. 1, No. 3, (1976). R. Q. Gray, 'The Labour Aristocracy In the Victorian Class Structure', in Parkin Ed. The Social Analysis of the Class Structure, (1974). Finally, for a critique of much of the theoretical basis of this debate see G. McLennan, 'The Labour Aristocracy and Incorporation: Note on Some Terms In the Social History of the Working Class', Social History, Vol. 6, No. 1, (1981) and McLennan, Marxism and Methodologies of History, NLB/Verso, (1981).

294. Poulantzas' book, Classes In Contemporary Capitalism, NLB (1974) deals with these questions in the contemporary period regarding the question of class fractions and the formation of the new 'petty-bourgeoisie'. In this thesis, class interests, in the form of immediate economic advantages and ideological preoccupations regarding promotion, consumption, deference and political reformism, are posed against more militant political aspirations and form the bases of working class division. In Poulantzas's final book, State, Power, Socialism, NLB, (1978), he began to take up many of these issues. Inspired by Foucault, in a form of dialogue with Foucault's conception of power and the state.
295. P. Joyce, (1980) op. cit., pages xiv-xv, 51-52 passim.
296. McLennan, 'The labour Aristocracy and Incorporation', (1981) op. cit., (1976)
297. It is in this manner that 'Incorporation' must be understood. In introducing this concept it is possible to see the sense of Donzelot's introduction of the package of relational measures that go under the name of 'Keynesianism' - the first synthesis of a democratic economic 'citizenship' (itself no less than a pre-emptive incorporation under the auspices of 'society as a whole') with the productive and distributive mechanisms of capitalism. This had long been a strong theme of Fabian social democracy, for example, "Sydney Webb ... as early as 1892, stated that collectivism, by which term he would have comprehended most aspects of current social policy, was the economic obverse of democracy." For the Webbs, (and most of the early Fabians) the social was the proper terrain of the state and social policy

was the description of the state's activities within society. The state 'tradition' and the Fabian revisionist tradition closely coincided upon this point. See J. R. Hay, The Development of the British Welfare State: 1880-1975, page 2.

This state tradition is endorsed more fully in the contemporary 'social state' of late welfare capitalism. See for example, T. H. Marshall, 'Value Problems in Welfare Capitalism', (1972) and George and Wilding, 'Social Values, Social Class and Social Policy', in Social and Economic Administration Vol. 6, No. 3 (1972). The latter speak of "the dominion of the consensus model in thinking about social policy", which has tended to imply that, "the welfare state is seen as the result of the 'general will' and that it is for the 'public good'". Thus social policy, in a certain sense, can be seen to encourage a naturalistic acceptance of national economic interests. Boulding, on the other hand, has pointed out the 'integrative system', the core of integrative objectives and practices "that unites all aspects of social policy and distinguishes them from merely economic policy ... The institutions with which social policy is especially concerned, such as the school, family, church, or, at the other end, the public assistance committee, prison or criminal gang all reflect degrees of integration and community. By and large it is the objective of social policy to build the identity of a person around some community with which he is associated." All this is reasonably fair, although Boulding then concludes with the idealistic and certainly problematic notion that "social policy is that which is centred in those institutions that create integration and discourage alienation." K. Boulding, 'The Boundaries of Social Policy', Social Work Vol. 12, No. 1, (1967) This, however, is to return to an earlier conceptual problem concerning the key ideological traits of social policy, although these, remain very central to the analysis of the question of incorporation. See also, J. Parker, Social Policy and Citizenship, (1974).

298. Ehrenreich and English, (1977) pages 17, 169. E. Wilson, Halfway to Paradise, (1980) op. cit., M. Barrett, Women's Oppression Today, Verso, (1980) and CCCS Womens Studies Group, Women Take Issue, Hutchinson Univ. Press, (1978).
299. See Donzelot, (1980) pages 189-194. Ehrenreich and English, (1977) on the relationship between politics, mass consumption and the happy family, see page 165. Also, see notes 172-173 above.
300. Donzelot, (1980) page 217.

301. See Bennett et al., (1981) op. cit., Ehrenreich and English, (1977) page 13. Snare and Dahl, 'The Coercion of Privacy', in Smart and Smart, (1978) and the collection of articles recently edited by Hutter and Williams, Controlling Women, the Normal and the Deviant, Croom Helm (1981), which take on, in a number of arenas, the oppressiveness and disciplinary nature of much which passes for social policy affecting women.
302. See Hodges and Hussain's criticisms of the implied coherence of the strategies of discipline Donzelot has described. See note 291, above.
303. See notes 172 and 173 above.
304. See 'Bland, McCabe and Mort, 'Sexuality and Reproduction: Three Official Instances', in Barrett et al., Ideology and Cultural Production, Croom Helm/BSA, (1979), J. Kelner and A. Davin, 'Mind that you do as You are Told', and Birmingham Feminist History Group, 'Feminism as Femininity in the 1950's', both in Feminist Review No. 3, (1979), C. Smart, 'Law and the Control of Women's Sexuality: The Case of the 1950's', in Hutter and Williams Ed. (1981), E. Wilson, (1977) page 9, M. McIntosh, 'Gender and Economics: The Sexual Division of Labour and the Subordination of Women', V. Stolcke, 'Women's Labours: The Naturalisation of Social Inequality and Women's Subordination', both in K. Young et al., (editors) Of Marriage and the Market, CSE Books, (1981).
305. With good reason, see Wilson, Women and the Welfare State, (1977), M. McIntosh, 'The State and the Oppression of Women', in Kuhn and Wolpe Eds., Feminism and Materialism, (1978), M. Barrett, Womens Oppression Today, (1981). Even 'radical social policy' has expressed its reservations about social policy, women and the family, see, M. McIntosh, 'Feminism and Social Policy', Critical Social Policy, Vol. 1, No. 1, (1980), see also H. Land, 'The Family Wage', Feminist Review, No. 6, (1980). On the other hand, Field's re-writing of the history of CPAG betrays a very strong familialist orientation; he makes a great deal of the supposed historical relationship between CPAG and Eleanor Rathbone's Family Endowment Society. See F. Field, Poverty and Politics, Heinemann, (1982).
306. Donzelot, (1980) page 220. The question posed here is not unlike Foucault's question as to what ulterior objective is secured by the permanent failure of the prison. The answer to Donzelot's question, however, is not too difficult to ascertain. The family's weaknesses

were the points at which philanthropy intervened and, as Prochaska comments: "philanthropy could be devised to combat distress and the resulting social tension [and] to promote social harmony." (page 97.) A similar recognition of the politics of family failure is inherent in Pearson. (1983) see pages 241-243.

307. Donzelot. (1980) pages 230-231. Gillis. Youth and History op. cit., page 99. Thus the pressure of economy and the ambitions of the promotional family interacted to produce a new environment for the, now highly idealised, nuclear family. Following Laslett. (The World We Have Lost, and Family Life and Illicit Love in Earlier Generations, Cambridge Univ. Press, 1977) It is difficult to claim a historical transition from extended to nuclear family (the transition of which basic sociology texts were once so fond), but this does not disallow reference to the process by which the nuclear, insular family - promotional parents and 2-3 children - became the desirable norm of government, social policy and capitalism alike. See also D. Gittins. Fair Sex, Hutchinson Univ. Press. (1981).
308. As Donzelot remarks. "The organic family was the best support for the vertical relations of dependance and prestige," whilst the crucial role of social policy was to consist in "adapting the timeworn and rigid family morality to the requirements of modern life." (1980, page 178)
309. In this way the boundaries and limitations of each discipline were to be transcended. Problems previously associated with the interaction of relatively precise disciplines such as medicine or law were overcome. (For an examination of an early part of this process of integration of disciplines, see, D. Smith, Trial by Medicine, Univ. of Edinburgh Press. (1981). However these difficulties were not, and perhaps could not be, fully overcome. A transitional solution to these problems lay within the realm of social pathology, (the analysis of abnormal relationships and representations) see N. Rose. (1979) op. cit.
310. Donzelot. (1980) page 231, see also Kay and Mott, (1982) chapter 3, especially the section on 'Policy', page 144.
311. See Kay and Mott. (1982) op. cit., chapter 3. Tomlinson. The Unequal Struggle, British Socialism and the Capitalist Enterprise, (1982) and also Mattick. Marx and Keynes, (1969) op. cit.
312. As Donzelot has described, Keynes made it possible "to integrate the social sphere into the general regulation of the market" (page 231). This 'Integration' should properly be seen as an integration within the sphere of nationalised economic prerogatives and priorities. Yet, if the

foregoing analysis is accepted. If the era of 'welfare capitalism' is accepted as (however contradictory) a reality, then the autonomy and significance of the social sector must be accepted too. Keynes' advance was to enable the integration of society within economics. Habermas's invention of the political currency of 'legitimacy' promises to achieve a similar integration within the social. We have seen how within the social state, legitimation is achieved "not so much through its constitution as through the activity of administration in securing social objectives" and "the substantial determination of the Political by the Social" (Bockenforde, 1963, op. cit.), and have been warned of the "mistake of assuming the dependence of the social upon the political". Habermas has described this scenario, recent occurrences including General Elections, have shown the likely consequences of this legitimation of the state through the social. Legitimacy becomes a currency to be exploited, politics being reduced to a mass-communications game: the packaging of invariable consumer preferences. Transferred to the sphere of social policy-making these developments seem to threaten the eclipsing of policy in favour of managerialism, the technique of matching 'social programmes' with the preferences of selected sections of the population. The potential dangers of such a development are immense, for a hint of what such developments might look like, see P. Taylor-Gooby, 'Public Opinion, Legitimation Deficit and the Welfare State', (1983) op. cit. and Taylor-Gooby, 'Two Cheers for the Welfare State', (1982).

PART TWO

THE DISCIPLINE OF SOCIAL POLICY

CHAPTER 3

THE DISCIPLINE OF SOCIAL POLICY

THE POOR, THE CRIMINAL AND THE DANGEROUS.

"Historians have generally discussed this question in a rather one-sided and teleological manner. Looking forward to the creation of the Welfare State, they have concentrated upon proposals for old-age pensions, free education, free school meals, subsidised housing and national insurance. They have virtually ignored parallel proposals to segregate the casual poor, to establish detention centres for 'loafers', to separate pauper children from 'degenerate' parents or to ship the 'residuum' overseas. Yet for contemporaries, both sorts of proposals composed parts of a single debate." Gareth Stedman-Jones, Outcast London, 1971, pages 313-314.

"How hard it is to become convinced that the spirit of love, if it is to be genuinely beneficent - and therefore really kind - must be disciplined." S. and B. Webb, English Poor Law History, (1927) Longmans, page 5.

"Classification required prior investigation, and the Victorian period furnished [several] forms of inquiry into the condition and manners of the poor, all brewing that curious mixture of apprehension, disgust and genuine concern that is characteristic temper of Victorian social policy ... However, social discipline surveys far outnumbered investigations of poverty, at least in the 1830's and 1840's." P. Golding and S. Middleton, Images of Welfare, (1982) pages 20-21.

"In making [his] enquiry, our agent was universally regarded as interfering with what they thought he had no concern and they gave answers which he knew in a great majority of cases to be false." Report on Investigations of the Condition of the Working Classes, Journal of the Royal Statistical Society, Volume 1, 1839, page 357.

"Nothing is so common as to exaggerate poverty ... The poor will sometimes seek to deceive you. The sense of want disposes to falsehood. If you are not able to verify the facts they allege, the more they will flatter themselves that they can deceive you." Baron De Gerando, The Visitor of the Poor, Simpkin and Marshall, London, 1833, pages 55, 99-101.

INTRODUCTION: THE FIELD OF ACTION OF THE SOCIAL STATE.

In the preceding chapter the question of the emergence of the social state was raised in the course of an examination of the ways in which a generalised 'terrain' of social problems came to be susceptible to a proper regime of state interventions. The strategic effects of social democracy have been equated with the rise of what we have called the 'Social State'. Under the organised hegemony of the social state, the interventions referred to earlier, interventions in the economy and population, sought the accommodation of the working class to the capitalist mode of production and to its relations of hierarchy and exploitation. We have already seen how, for the disciplinary relations of capitalist production to be successful, a ready supply of labour power was essential. That supply of labour did not simply exist, untapped, ready and willing to be exploited at the moment the productive forces demanded it. Rather, this supply of labour power had to be created. The working class had to be pushed into the factory. To achieve this political orchestration of economic pressure, all social relations in the emerging industrial society had to be brought within the disciplinary relations of capitalist political economy. This discipline had to be superimposed upon the relations of the classes, social relations had to be infused with a new form of power. A form of discipline deriving from, and complementary to, the exploitative conditions of the labour market. This disciplinary system – the exploitation of the factory, and the relations of hierarchy and authority of the labour market – was relayed by the state through its capacity to reorganise the conditions of subsistence of the working class. Thus, the state, in developing a law of subsistence, a primitive form of social policy, crucially affected the conditions of existence of the working class. To rearrange the laws of subsistence was to alter the conditions of subsistence of the working class. The significance of the reform of the Poor Laws in 1834, of course, lies here. The Poor Law Amendment Act was, as Thompson has remarked,

The most sustained attempt to impose an ideological dogma, in defiance of the evidence of human need, in English history. [1]

And, in a similar vein, Mather has written,

The Spirit of the whole [Poor Law Amendment] Act is not to grant relief to the unfortunate poor but to obstruct and deprive them of it. [2]

In this way, the exponents of capitalist political economy demanded a system of social policy which complemented the labour market. A system which, by imposing throughout the whole of society the disciplinary relationships of the factory, applied sanctions against those not conforming to this economic pressure and, therefore, helped assure the acquiescence of the working class. [3] Yet to achieve this result, all those local and traditional practices which guaranteed various forms of 'right' to subsistence had to be swept away. The old Poor Law had to go. Its place was to be taken by a rather more cohesive and calculated system which would combine the poverty and subsistence of the working class with the discipline of capitalist political economy. In so doing, forcing the labourers to give freely of their only possession. All those restraints upon the 'free play' of economic forces were to be removed in the creation of what Bentham saw as a disciplinary continuum – a continuum which stretched from the Workhouse/Prison to the 'freedom' of the market. [4] It is this supposed 'disciplinary continuum' with which we are concerned in this and the following two chapters, not its 'ideal' form as dreamt up by Bentham but its actual existence within both Poor Law and Philanthropic attempts to deal with the problems of pauperism in the 19th century. In the following pages we shall be examining this disciplinary 'essence' to 19th century social policies, its development and refinement in schemes for the alleviation, treatment, repression, classification and distinction of pauperism and, later, poverty.

That so enormous a project – the accommodation of labour to capital – was envisaged as the object of the social state, a project whose development we are seeking to trace through the disciplinary practices of social policy operationalised through the 'partnership' of state, 'philanthropy' and capital from the 19th century to the present, endorses the choice of questions made in the previous chapter and justifies our pursuit of the sources of that shift from a politics of repression, proscription and exclusion (effected through state social policy) to a politics of regeneration, rehabilitation and promotion. In short, the process which Edelman has called, "the Legalisation of the Working Class", and which Hearn has similarly referred to as a process of working class

"Incorporation". [5]

The 'Social Question', formerly the problem of others, has become detached from a set of specific practices surrounding the regulation of the poor and now refers to the active pursuit, reinforcement and management of political order in a developed industrial capitalist society. Today we would refer to this question of the reproduction of political order in terms of such concepts as legitimation or, more revealingly, in terms of hegemony. The 'Social Question' has therefore disappeared from our socio-political discourse; social problems (far more specific defects within the social field) remain, however, and there are, as we have seen, many varieties of them. [6] Similarly, the idealised paradigm of social control continues to paralyse sociological explanations of power and discipline in advanced capitalist societies – at the same time as it hinders a true reception of the radical potential of Foucault's analyses in British social policy – but the 'Social Question' itself is no more.

The extent of this theoretical shift from a politics of exclusion to a politics of incorporation through state practices can be gauged from a comparison of a work written in 1849 on the 'dangerous classes' of Britain: 'Tactics for the Times', [7] which called for the repression of pauperism and criminality as evils, with Parker's 1975 study of 'Citizenship and Social Policy' [8] wherein it is the capacity of the state to redistribute material benefits that is interpreted as the platform by which higher criteria of inclusive social citizenship are developed. Yet it is perhaps ironic that, only as social policy is beginning to grasp the full significance of its exercise of apparatuses of incorporation and social discipline, another privatised and predominantly exclusionary social policy is already upon us. [9]

Having noted that it is reasonable to switch from a conception of 'the social' which refers to questions of repression and rehabilitation to a conception which refers to questions of legitimacy and hegemony, we must now turn to our subsidiary question. We must analyse the apparently disciplinary 'nature' of 'The Social'. This is an especially important problem precisely because, given the broader conception implied by 'social' questions (i.e. general problems of

legitimacy and hegemony). we are dealing with the ramification of disciplinary relations throughout society.

Some consideration has already been given to the basis of these disciplinary relations in the exploitative conditions of the 19th century labour market and the 'wider law of labour' by which capitalism secured a ready supply of labour. A working class which, by and large, accepted its basic conditions of existence and, indeed, which positively sought to fulfil its limited aspirations within the restricting confines of the bourgeois ideal of working class respectability. Nevertheless, some further consideration needs to be given to the practical forms that this regulative discipline, the discipline that went under the name of social reform, or social policy, took.

Whilst an apparatus of insurance eventually came to provide the general societal means for ensuring the adherence of the population to existing forms of industry and political structure, its disciplinary foundations often go overlooked. The apparatus of 'social insurance' constituted an immense legal-administrative mechanism, synthesising so many of the practices and techniques that had been fundamental to the social and political order of classical political economy and, as Kay and Mott have demonstrated,

Whereas the Poor Law provided for the administrative regulation of those outside the labour contract, the potential inclusion of the poor into the labour force through the category of unemployment led to the direct regulation of the whole population. The Poor Law fostered an ontology of poverty, where the pauper was one of a series of discrete types, and could be more or less securely deposited in one of a series of institutions. With unemployment, every worker became a potential pauper ... The whole class had notice of poverty stamped on it. In this situation residual specificities in the administration of poverty had to be discarded, and in their place new general practices of insurance established on a fiscal basis. [10]

However, as the authors show, even though insurance - as a political technique of individualisation - represented a powerful socio-political instrument, in all its practical, day to day, operations it was to be further supplemented by a range of punitive, coercive, directive and also promotional measures. It is to the forms taken by these administrative regulations and disciplinary techniques - as well as the systems of insurance and assistance

around which they were arranged – that we must now turn. The objectives of the following chapters are, therefore, threefold: the elaboration of the disciplinary aspects of social policy in both their insurantal, assistencial and supplementary forms, the analysis of the development and refinement of these disciplinary forms to recent times and, finally, the assessment of these disciplinary forms in terms of their contribution to political security and social order in the modern welfare state – a feature clearly expressed through their widespread incorporation in many aspects of contemporary social policy and administration.

TRADITIONS OF REPRESSION AND RELIEF

In both 1834 and 1909 contemporaries were widely divided over practical proposals for the relief of the poor. The introduction, in both periods, of schemes promising a more cohesive means for controlling the access of the poor to relief funds and for ensuring the improvement of the moral or social condition of the poor provoked strong feelings. Clearly, in each period, important underlying political divisions were reflected in the debate over future relief strategy but, equally in each period, specific questions of social regulation and predispositions towards forms of discipline were raised. The controversy reflected in the two 1909 reports on the Poor Law perhaps helps indicate that despite political divisions and a number of fairly clear disagreements between major protagonists, a substantial area of common ground remained. As Pat Thane has remarked, "the Majority and Minority reports ... had more in common than divided them" [11]

In contrast, the way in which the 1834 Report emerged tended to exclude explicit political debate within the establishment, although clearly so fundamental a measure as the reform of the Poor Laws was bound to touch off substantial controversy. Such conflicts occurred later during the framing of the Poor Law Bill, the debate in Parliament and then again during the implementation of the 1834 Act which, especially in the North and parts of East Anglia, met with some considerable opposition. [12] However, despite the existence of some quite violent and explicit contests over the future direction of

poor relief, it is still possible to detect a number of shared assumptions and predispositions – common attitudes centring upon the future treatment of the poor – held by both supporters and opponents of the new Poor Law. An examination of the developing disciplinary form of social administration helps indicate the common ideological assumptions, social divisions and perceptions of class relations upon which a host of reformers based their ideas about the treatment of the poor.

In the previous chapter, the scientific (although also moral and philanthropic) foundations of the modern form of relief management have been outlined. On the basis of these foundations we can begin to form an impression of one of the routes to the disciplinary social administration of the twentieth century. The nature of earlier relief management and the visiting practices which accompanied it were of the order of an immense 'social scientific' imperialism, whereby those members of the rising urban bourgeoisie with an interest in 'social conditions' – the 'Social Question' – sought answers to some of the more pressing problems of the day. They compiled evidence on the condition of the poor as a class, for it was precisely as a 'dangerous and criminal class' that the poor presented nineteenth century society with a problem. Yet, given the social investigators' 'scientific' orientation, their perception of the grades of moral virtue and their adoption of a philosophy, centering upon vice and punishment, which endorsed a view of moral 'contamination by association' [13] then it is hardly surprising that one of the priorities of the investigators was 'classification'.

CLASS AND CLASSIFICATION: THE CENSUS OF THE CRIMINAL CLASSES

The 'logic of classification' only emerged from the interaction of two opposing discourses of class. The one, an essentially pre-sociological series of classes, ranks and grades, and the other, a counterpart of the emerging self-consciousness of the modern proletariat, the state's political discourse on the (potentially) 'dangerous' working class. [14] The interaction of these two discursive themes may well have produced their most 'precise' results within the

administrative arrangements of the 19th century prison but, under the auspices of a nascent science of demography, an immense labour of investigation was carefully charting the dark(ened) terrain of the working class(es) as the prelude to the application of a Benthamite 'science' of 'morals and legislation'. [15]

The most usual subject of the early social investigators was the working class community, particularly its gradations of vice and virtue. Indeed, an entire 'state sociology' was founded upon these efforts to investigate the condition of the working classes. It is quite possible to see how, in conjunction with the work of the social investigators, the state's administrative machinery of the Poor Law and the Police, fabricated a wholly new and synthetic discourse of class. This discourse focussed upon the working class as a social and political threat, while retaining a uniquely 'sociological' character and clear administrative objectives. [16] Amongst the most active proponents of this new discourse were those, essentially Benthamite, philanthropists who were forging a new political discourse of population statistics.

For these early statisticians, the new discipline was to refer to what they called a, "true politics", or, "how to preserve peace and plenty", in which the, "collection of facts" was seen as the, "indispensable preliminary to practical and effective reforms." And, political arithmetic, as this new science was called, had, as its ultimate referent, population, wealth and power.

The new science was intended to have demography at its core even so it was not demography as such, but a hybrid of all the social sciences using quantitative techniques and its end was the production of what was later to be called 'useful knowledge'. [17]

Yet these so called 'vital statistics' were, so far, not the discovered and accumulated vital characteristics of the subordinate populations, for although the development of the market economy had raised commodity fetishism ('the violence of things') to a newer technical and more quantifiable level, the new 'reductive logic' that was the 'violence of statistics' was not immediately nor easily allied to the developing discourse on constitutional governmentality and the practices of class domination. But the fact that this new statistical

Pages 211 and 212 have become transposed. They should be read as follows: 212, 211, 213.
derived.

"the problematic art of government was opened up anew in relation to the emergence of the problem of population ... there occurred a subtle process ... through which the science of government, the recentring of the theme of economy on a different plane from that of the family and, lastly, the problem of population, are all linked one to another". [20]

In the hands of philanthropists and social reformers, this science of population, derived from political economy, became an explicitly political science of social classes. [21] The new 'science' had not always had so obvious a utility for the ruling class, however. Despite the transition from the 17th century 'political arithmetic' of William Petty to the social and 'vital' statistics of the 19th century implying otherwise, statistical knowledge was becoming more, not less, political and more closely allied to the fortunes of state and economy. Thus, although statistics had originally been "confined within a narrow demographic channel ... the men of the 18th century were not simply raising higher a structure begun by Petty." [24] Thus Petty's political arithmetic' became social statistics. However, as suggested earlier it was a particular form of social statistics - class statistics, based upon the imperatives of social order and hierarchy - which was produced. Consequently, amongst the reasons for the institution of the first census in 1801, it has always been assumed that the publication, in 1798, of the first edition of Malthus' Essay on the Principle of Population was very influential (although Malthus' own work was surprisingly devoid of any statistical presentation or argument). Now, however, it is recognised that, far more significant, were the writings and arguments of John Rickman, whose, "arguments were rooted in the confused and dangerous external and internal situation of the mid 1790's." [23]

These insights into the links between the statistical movement and the concerns about social order are confirmed by the subject matter selected by the social investigators for their enquiries, and also by reference to the predominant fears and concerns shared by the 'respectable' and 'propertied', who saw the 'dangerous and criminal classes' as the fundamental threat to their perception of English social order and peace. [24] Earlier the threat had been posed by the 'Jacobin', later he was to be encapsulated in the form of the

knowledge eventually came to supplement the state's armoury of disciplinary mechanisms, represents the important contributions made by early social investigation of the working class to the relations of class reproduction in the first decades of the 19th century. With this in mind, it is important to see that these theoretical designs for political domination were very much a central part of the ideological resources of the state, as are the statistics produced from the application of these theories. The importance of this new quantifiable administrative science – with its detailed practical applications, has been clearly spelled out by Burton and Carlen.

The main function [of the Government 'Blue Books'] ... was to provide and publicly propagate knowledge of social conditions that would shape the technology of social engineering. Their contents became the discursive armoury of the political scene. As such the inquiries had a clearly dual function of not only creating information but manipulating its official reception. [18]

Yet only the modern world has produced such extensive statistics and it is equally the case that it is only the modern world that has produced so extensively. The two forms of production are related, yet it is only under the capitalist mode of production that relations of production have incorporated so extensive capacities of ideological domination and political representation alongside its modes of 'material' production. [19]

It is the centrality of production, be it of statistical facts, ideas or material objects which links political obligation (as class domination) to the production of statistics, all occurring under the formulations of political economy.

It becomes apparent therefore, that part of the significance of the techniques of calculation inaugurated by the system of political economy lie in the manner in which they tied the ideological themes of political obligation, demography, and administration to the production and reproduction of capitalist values, (hierarchy and order). It is fair to say, therefore, that the so-called 'birth of political economy' represents, in reality, the mythical form taken by the reductive science of population that emerged out of the need to quantify and reorganise 'lifestyles' in accordance with the needs of new modes of production. From these disciplinary imperatives, the 'problem of population' is

smallpox-ridden Irish vagrant. [25] but,

In the London and Paris of the late 18th and early 19th centuries, people often saw themselves as threatened by agglomerations of the criminal, vicious and violent ... it was much more than a question of annoyance, indignation or personal insecurity: the social order itself was threatened by an entity whose characteristic name reflects the fears of the time - the dangerous classes ... even where the term is not explicitly invoked, the image persists one of an unmanageable, volatile and convulsively criminal class at the base of society. " [26]

Yet it was not only in respect of crime and criminality that statistical techniques flourished. For, amongst the statisticians working both inside and outside the state there existed what Cullen has called a "common set of social attitudes" which were addressed, increasingly, to the study of social problems. In their work, these investigators announced a series of subjects as the principal targets of their enquiries. However, initially, these subjects were to remain anonymous, hidden as part of a larger class of anonymous subjects. [27]

The 19th century statisticians approached and presented the statistics of criminality as class phenomena, heavily couched in terms of moral abhorrence, and the need for instruction and reform. [28] We are able to view these particular class characteristics in the criminal statistics produced during the early 19th century, but they found their fullest expression in the statistics produced immediately following the major overhaul in compilation and presentation in 1856.

Admittedly the moral concerns of the statistical reformers are also well reflected in the statistical returns for the Home Office and Statistical Societies, but they are at all times morals that are class-based. The work of Philip Corrigan has helped to stress the class derivation of these moral notions and their utility as vehicles for tactical interventions on the part of the state, the reforming bourgeoisie, state-servant or philanthropist, so as to ensure the virtual enforcement of bourgeois morality, thereby confirming what Marx wrote in The Civil Wars in France, that, "every social form of property has morals of its own". [29]

The harsh, unrealistic and ahistorical moral judgements upon which the social and criminal statistics of this period were often founded, the divisions within them and the social classes from which they were derived, are quite clear. Nowhere, of course, is it being claimed that the state had begun to employ anything remotely approaching a materialist theory of social class – on the contrary, the state's discourse was substantially more 'sociological'. However, despite this simple qualification, it is quite clear that those social classes considered most problematic by the 19th century state and bourgeoisie could, with relatively little difficulty, be aggregated to form a definition of the early English proletariat. In a similar manner to Foucault's description of the constitution of the 'modern' individual, we might describe the 19th century's constitution of social class.

The individual is no doubt the fictitious atom of an 'ideological' representation of society; but he is also a reality fabricated by this specific technology of power that I have called discipline. [30]

We can, likewise, describe the labouring classes or the 'dangerous and criminal classes' as constituted in the same way by the work of the gentlemen reformers, statisticians and state servants and by the technical and strategic interventions they performed in order to survey and eradicate what they considered to be the immoral and vicious conditions they discovered. [31]

From a brief review of the statistical work of these early reformers it appears that the constituted image of the class as an object of investigation and manipulation occurred historically prior to the emergence of the individual. However, it was the attempted investigation and reformation of these classes which actually helped found the individual as a valid object of enquiry and treatment. [32]

As we shall see, this individual offender began to make something of an appearance in the published Criminal Statistics after 1856 (that is as a separate persona, rather than as the (random) representative of a class). But, of course, his origins lie much deeper within the discourse of the reform and rehabilitation of the soul as explicated by Foucault in Discipline and Punish. By the late 19th and early 20th century this individual offender had certainly

become the new locus for criminological investigation, a relatively uncharted terrain, and research proceeded at pace to discover his motivations and the means for assuring his curtailment and control. [33]

However, in the published official statistics of criminality – then titled Criminal Commitments and Convictions, such individual detail was markedly absent. Absent also in the very early compilations was any kind of elaborate quantification of the criminal classes. It is therefore to the work of the 'private' Statistical Societies that we have to turn in order to gain a full appreciation of these aspects of the principal concerns of the bourgeoisie – perhaps more accurately reflected in the work of the Statistical, Philanthropic and Visiting Societies than in Whitehall – for it was the work of the early Statistical Societies which first began to depict (in statistical form) the existence of the 'criminal classes'. It is true that principles of classification were being increasingly applied to assist with the management of prisons and, later, workhouses, but the statistical societies were concerned with the criminal classes as groups of the population at large, and not simply with the classification of grades of virtue or vice. Or, rather, the work of the statistical societies embraced both concerns, their's was a sociology of class that served also as a rudimentary criminology.

In many respects, as we shall see, the work of the Statistical Societies was a good deal more theoretically advanced than that of the state itself, and they frequently criticised the statistical productions of the state, the practices of law enforcement which they described and the legal structure upon which this was based. This was so, moreover, despite the close links between members of the Whitehall bureaucracy and the Statistical Societies, especially in London. For instance, Samuel Redgrave, who engineered the 1856 changes in the compilation of Home Office Criminal Statistics in his official capacity as Criminal Registrar, was very active in the Statistical Society of London and prepared papers for presentation to its meetings. Similarly, G. R. Porter, head of the Statistical Department of the Board of Trade, "was to become the leading member of the Statistical Society in London while also feeding information to other reformers." According to Cullen these kinds of networks of contacts

were.

"typical of the relationship between the activities of the reformers in Government and their involvement in private societies and Royal Commissions. The same men tend to recur in all these avenues leading to the generation of social statistics. [34]

Furthermore, at a rather less senior level, Chief Constables of Police, Prison Governors and Chaplains and officers of the Poor Law Unions would address papers to the meetings of the provincial Statistical Societies. [35] The societies often replied with advice about the improvement of statistical techniques, or information collection and presentation of statistical returns. [36] It is evident then, that these networks of contacts seriously undermine that division purported to exist between state and society, and confirm the often close and overlapping associations between philanthropy, social investigation and state social administration. [37]

From the publication of the first abstracts of 'Criminal Commitments and Convictions' in 1805, it is clear that the close association of private social investigation and state administration had a major impact upon the early criminological discourse of the state, the systems of classification adopted and their application to the population at large. Nonetheless, it is equally apparent that many contemporaries (and more contemporary researchers) considered the information produced inadequate for the purposes that reformers usually had in mind.

This classification, abstractly considered, is far from perfect; but is perhaps the best which can be adopted for the information comprised under it; stamped, as this is, with a peculiar form and nomenclature by a system of justice made up of the amendments and alterations of successive ages applied with little reference to general principles ... The few particulars, too, which are contained in the Home Office tables, afford materials for important analyses; at the same time ... It is important to bear in mind those boundless influences of residence, occupation, association, domestic habits and social position of which it is almost impossible to give any statistical representation. [38]

Similarly, in 1856, Samuel Redgrave (The Home Office Criminal Registrar) on completion of the major overhaul of the Home Office Judicial Statistics was pleased to write, in his 'Introductory Report',

By combining in one report this information ... much useless and cumbersome repetition will be avoided and the matter will be rendered more readily accessible and ... the report will therefore supply information which has long been desired relating to crime committed ... but could not be ascertained in the absence of a general system of police. [39]

As ever, knowledge and administrative practices were intimately tied together. Redgrave proceeded to elaborate upon the nature of that previously absent material which was to contain information on,

the offenders for trial ... with such information as to their previous habits and character. [and] the offenders punished on summary proceedings ... with similar information as to the classes to which they belong. [40]

This, then, was the state's discourse in 1856. Information about particular offenders was sought after but only insofar as it assisted with the task of classification and enabled the authorities to submerge the individual back into the class – the labouring class, the immoral, criminal or 'dangerous' class. [41] However, precisely such information was already being collected by the Statistical Societies throughout the late 1830's and 1840's.

The basic preoccupations of the Statistical Societies centred upon what they saw as the moral depravity of the lower classes, of which pauperism, illiteracy, crime, vice, illness and in later years 'socialism' were but the outward signs. [42] A vast machinery of social intervention for the reformation of character, the organisation of moral instruction, popular education and literacy, the regeneration of religious enthusiasm, policing and sanitation and the reconstruction of established notions of hierarchy and political order, was being set in motion. [43]

Evidence of these kinds of preoccupations within the work of the Statistical Societies can be derived from even the briefest glance at the lists of subjects investigated and reported in the statistical 'Journals'. The societies would send their agents – virtual missionaries of bourgeois morals – to explore the 'abyss' that was lower class life. The investigators carried an air of authority, derived from their social position, which seemed to give them a legitimate mandate to carry out their enquiries and overcome the suspicion, antagonism and

opposition of the poor and working class people they visited. The investigators did not find that everything went their own way, however, they, "were often obliged to knock or ring in order to gain admission to the house" and in some cases, "much suspicion and reluctance were first encountered." However, it appears that these investigators were both patient and persuasive, once inside the homes of the poor they were met with, "almost constant courtesy from the members of the families visited" [44]

The investigators' reports often expressed more than a rhetorical concern for the well-being of those they looked upon as their charges and, on discovering favourable circumstances, (for example, educational attainment, books possessed and read, and religious knowledge, abstinence and good character) were very pleased to be able to announce this in their reports. [45]

Amongst the enquiries carried out by the societies were compilations of the, "vital statistics of," the, "condition of," or the, "moral characteristics of," the working class population of certain towns, districts or communities. Such exercises would involve, firstly, listing the general characteristics of the area, and then conducting far more extensive inquiries into the homes and lifestyles of the families and their members, their income and expenditure, membership of savings banks or friendly societies and their habits and possessions. Questions were asked regarding the ability of the parents and children to read and write, the attendance of the children at the varied schools available for the working classes and the degree of instruction and the subjects taught. [46]

In the homes of the poor, the investigators would relate family size to available resources, the numbers of rooms, beds and general furniture, and they would also make a general assessment as to the comfort, cleanliness and order, of the home. [47] Sometimes, despite the investigators' vows to objectivity, they seemed almost moved to anger and contempt on discovering homes which were,

generally good, capable of being made quite comfortable by the smallest attention to order, cleanliness and ventilation; but the inhabitants did not appear to consider any such improvement in their dwellings of any importance. It was common to find ashes and rubbish of other description deposited in a corner on the stairs and

removed once a week when there was a sufficient accumulation to block up the passage". [48]

In a similar vein, as well as enquiring into the occupations of the adults, figures were also produced upon the proportions of, "males who according to their own statement can use carpenters tools to mend their own furniture". And, "women who can sew, wash or knit." As to the habits and possessions, statistics were published recording the number and type of books found in the houses and even the kind of pictures exhibited on the walls.

Pictures were commonly seen in the dwellings visited but the number of theatrical or amatory pictures exceeded the number on serious subjects. [49]

In addition, questions were asked of the families' religious denomination and church attendance, the children's habits of prayer, knowledge of the Ten Commandments and ability to answer simple questions on religious doctrine. [50] However, such enquiries did not always go as planned. Certain kinds of questioning, especially questions relating to the morals and instruction of children, were resisted by the poor.

In making such an enquiry, our agent was universally regarded as interfering with what they thought he had no concern and they gave answers which he knew in a great majority of cases to be false. [51]

However, it is only on examining the criminal statistics produced by these societies that the full weight of moral censure emerges, and the contradictory duality between environmentalism and moralism, as discussed by Cullen, is dropped in favour of outright condemnation, allied with a stated need for control and education. [52]

"In criminology," wrote Grunhut in 1951, "a scientific study of crime almost coincided with the beginning of criminal statistics". [53] Such an interpretation is immediately confirmed by the activities of the statistical societies, for from the very outset they were concerned to produce more thorough and explanatory aetiologies of criminal characteristics and the moral foundations of their aspirations and behaviour. To this end, a publication in the Journal of the Statistical Society of London (Volume one: 1839) suggested the questions to be

asked in respect of every apprehended offender, although it was many years before the details suggested in this report were included in the official Home Office Criminal Statistics – indeed, some of them never were.

In some respects, the Statistical Societies' view of the information to be recorded for each offender indicates the same ambiguous preoccupation with factors of class and character that came to play such an important part in poor relief discourse in the second half of the 19th century. Yet the interest of the social investigators and philanthropists in questions of morality and character also helped pave the way for that transition from a perception of criminality and poverty as class phenomena to a new view of them as located firmly within the individual. [54]

Amongst the items to be recorded in respect of each offender were: name, sex, age, occupation, etc., details of residence, domicile, parentage, education, domestic condition, and other familiar things such as previous convictions. Yet the analysis was to go still further, new kinds of information relating to "previous character", "inducements to commit the offence", "proximate cause of the offence", and the "modes and instruments" by which the offence was carried out, were sought after. On a subsequent page the Statistical Society suggested a design for the form on which each offender's personal history and details were to be recorded. The new precision sought after in the recording of the characters of offenders bears the mark of Rawson Rawson, the honorary secretary of the London Statistical Society, whose work in attempting to construct aetiologies of criminality often showed a high degree of sophistication. His writings bridge that gulf between the two historical traditions of analysis in criminality and, although his work is, in a way, representative of his time, his synthesis of moral and 'sociological' analyses of criminality often seemed far more 'progressive' than many of his contemporaries. Whilst many of his contemporaries seem to have written and spoken of criminality as an exclusively class phenomenon, Rawson was more concerned with the individual's motives for committing crimes: he wrote about a committee he had chaired which,

found that almost all crimes could be referred to one of four motives, viz: desire of gain, indulgence of sexual desire, malice and

wantoness. [55]

Perhaps Inevitably though, the same kinds of moralism as found in much contemporary work is still apparent. Though, again, Rawson's work was advanced in other senses for, to a greater extent than many contemporaries, he extended the 'environmentalist/humanist duality' which characterised much 19th century writing on pauperism and vice into the realm of criminality also. For instance:

we arrive at the conclusion that the collection or large masses of the population in crowded cities, conduces more than anything else to the creation of those causes, whatever they may be, which stimulate the commission of crime. [56]

This statement, when contrasted with some of the things other statisticians were writing, appears as almost enlightened. For at the same time, Sir Charles Shaw, Chief Commissioner of Police, was producing statistics of criminality in Manchester which classified the working population into groups such as "most laborious and active", and "most sedentary and inactive", on the basis of professed occupation alone. Whilst a paper read to the Statistical Society of London on 16th December, 1839, classified criminal characters into: 'industrious', 'idle', 'drunken', and 'vicious', commenting that, "among such criminals ... it may well be imagined that there are none who could be regarded as orderly characters". [57] Again, a report by a Superintendent of Police in Newcastle upon Tyne, discussed the proportions of the 'vicious population', and the Rev. John Clay in his annual report of the Preston House of Correction referred to the, "state of things among the working population," within whose ranks he detected, "a great increase among the habitually vicious". [58]

Some of the shortcomings of the early Criminal Returns have already been referred to yet, from the time of the first production of criminal statistical returns in 1805, records of indictable committals for trial were kept by the clerks to the Judicial Circuits and an annual return made to the Home Office. These were first published in 1810 for the period 1805 -1809, and until 1834-35 the crude pattern of statistical returns remained basically unchanged. [59] As Gatrell and Hadden have commented, the early statistics were little

more than a form of criminal book-keeping, giving little indication of the more extensive moral discourse on behaviour, morals and character that the Home Office was later to develop. From time to time, slight alterations were made in the kinds of information recorded, with specific details being added whenever certain information became available. On the whole, though, the returns were,

no more than court records for a restricted group of offences defined as serious only in terms of legal history'. [60]

In 1826-7 a Select Committee was appointed on 'Criminal Commitments and Convictions', to enquire into the apparent increase in the numbers of criminal commitments in England and Wales. Yet this Committee had relatively little to say about the problems of obtaining an accurate statistical representation of the true extent of crime in (agricultural) districts and devoted the major part of its report to a 'deductive' analysis of the purported evils of the 'degrading Poor Law system'. [61] This was done, moreover, in a language which plainly recalled the imagery of the 'dangerous classes' of the late eighteenth century, "men of wild character" with "vicious habits", "degraded in their habits", and women with "no shame" as to their characters.

The second report from this committee appeared in 1828. [62] It confirmed the preoccupations of the first although it began to show some interest in the classification of criminality and, in so doing, indicated the need for more detailed information. A further stimulus was provided by a classification suggested in the report of the 1828 Committee on the Police of the Metropolis [63] which attempted to reclassify certain existing groups of offences for the better extrapolation of trends in particular types of crime.

These new classifications of crime were included in the new and reformed Criminal Returns after 1834-5 (though it is important to stress that little new was added to the statistics, offence groupings were basically just reclassified). What was new about the statistics produced after 1835, however, was the introduction of some basic information purporting to describe 'criminal characters'. Such information included details of, sex, age and, most importantly, 'degree of instruction'. (The latter was included because it was

one of the few means of quantifying educational attainments whilst education was seen as important because of its potential as a vehicle for the inculcation of moral ideas. [64] However, these statistics of 'character' were discontinued in 1849, for they only duplicated similar information included in the Prison Returns. [65] In 1837 a new section was added to the Criminal Returns, namely an introductory report on the interpretation of the figures, which, considerably expanded in 1856, has remained ever since.

The reformed statistics after 1856 (following the passage of the County and Borough Police Act of that year) represented the first entry of the 'criminal classes' into the criminal statistics of the state. These classes were only to have a temporary residence in the discourse of the state, however, for, within the methods being developed for their analysis, were also accumulating the ideological forces for their diffusion. It is important to make this observation because the statistics of the late 1850's were already beginning to show some signs of an individualistic conception of criminality.

Discussing these overhauled returns and their 'Explanatory Reports', Gatrell and Hadden have suggested that they represent a,

sustained and impressive form of criminological writing in their own right, not least because they exhibited an uncommon concern for the statistical verities, [for the reports] exemplify the thinking of perhaps the most professional of all 19th century criminologists. [66]

In these respects Gatrell and Hadden are quite clearly correct, the statistical aspects of the returns are well on the way to becoming very sophisticated and are definitely the products of professional men. However, the importance of these changes within the Criminal Statistics has often been misunderstood. The significance of the criminal returns lies not so much in their relative utility for extrapolating trends in crime and apprehension rates but more importantly, in the manner that they heralded the arrival of a criminological state science, a development which was to have very important consequences.

The crystallization of ideas about crime and criminality (criminological theory) which is reflected in the post 1856 Criminal Returns marks another step towards

the construction of a privileged discourse of criminality, creating its own facts and knowledge from which most, outside the state, are excluded. With the establishment of a national system of police, the state had not only secured a firm hold over the exercise of legitimate power in society but also the vital mechanism of criminalisation whereby a range of social, political and economic practices might be effectively marginalised. [67]

The first returns following the over-haul were published in 1857 for 1856 and whilst, as Redgrave pointed out, the changes were not wholly completed, a fairly long and detailed introduction was still included. Of particular note was the 'unprecedented decrease' in the numbers of criminal commitments which received an unusual amount of attention, especially in view of the effects of a series of Criminal Justice Acts in the late 1840's (especially 18 and 19 Vict. c.126) which had transferred a large number of offences – "offences against property without violence" and "petty larceny" to the jurisdiction of the magistrates. [68]

Redgrave was aware of these Acts, but as the statistics on summary committals were not then nationally collated, he preferred to attribute this reduction in indictable committals to a corresponding reduction in crime (hence proving the deterrent effects of the new Police). However, this is strange, especially as, offences against the Game Laws, assaults on Peace Officers, riots and breaches of the peace – offences that tend to fluctuate markedly with economic conditions – all increased.

Although the returns for 1856 were incomplete, they contained some information that in ensuing years was to be further codified and embellished. The usual statistics of sex, age, occupations and the relative literacy of the groups were collected, but when the report came to consider 'previous commitments' the preoccupations concerning social class, character and morals began to emerge. Thus, the report seeks to estimate the extent of the, "strictly criminal proportion," or, "all who can be properly called criminal ... habitually violating the laws". [69] But the statistical operations carried out here were relatively limited compared to those of subsequent years. For, in the returns for 1857

statistics of summary offences were recorded for the first time, and it was in 1857 that the 'Census of the Criminal Classes' began.

The Census was apparently designed to assess the 'characters' of those apprehended or convicted, the classes were designed by the Home Office although it was the Police who performed the actual classification. [70] Thus, for example, there were 46,804 'suspicious characters' recorded as arrested and held in Police custody in 1857 [70], (although it is uncertain as to whether this was the reason for the arrest or merely a retroactive classification). Upon this model followed the Censuses of the Criminal Classes in subsequent years although the amount of space devoted to the findings of the Census can be seen to grow. In 1858 'paupers' were included as members of these classes, as were those of "no stated occupation" and "depredators". Various towns and districts were compared to assess their "relative criminality" and information was gathered upon houses of bad character, "houses of the receivers of stolen goods", "brothels", "public houses and beer shops", "coffee shops" and "lodging houses". And, finally, the proportions of the "Criminal Classes at Large" were compared to those held in prison. [71]

This model of presentation was adhered to quite firmly in the ensuing years. The 'Census' was still carried out in 1878, and the returns of 1896 (following further reorganisation in 1893), including more detailed and better organised information still tabulated the characters of those prosecuted – those "habitually engaged in crime", "vagrants", "prostitutes", "habitual drunkards", and "other bad characters" [72]. By now, however, the investigation of 'class criminality' was no more than a shadow of its former self, for the individual offender had become increasingly more apparent in the state's criminal statistics.

This individual criminal emerged only gradually but, nevertheless, had 'official' antecedents dating back to 1856. His appearance seems to be immediately related to two sets of developments. On the one hand, a preoccupation with serious crime – seen as the antithesis of the 'social' and 'moral' standards of the 19th century social reformers and, on the other hand, a growing discourse (transcending official and non-official channels) developing the notion of a

'criminal career'.

The first aspect is evident in the Criminal Returns from 1856. The Victorian age is often accredited with a particular curiosity for the strange, shocking or different. Something of this is exhibited in the Criminal Statistics for the second half of the 19th century for, in the Annual Criminal Statistics, the names, ages and a brief account of the crimes of all persons executed in the year in question are exhibited, viz:

William Jackson, aged 35, murder of his two children to relieve himself of the charge of them.

William Nevan, aged 44, murder by a soldier of his sergeant from revengeful motives.

Elizabeth Brown, aged 44, murder of her husband from jealousy and his ill treatment of her.

John Hannah, aged 22, murder from jealousy of a female with whom he had cohabited. [73]

These brief reports reflect something of a strange Victorian penchant for certain types of inquiry – found in a more extreme form in the cheap novels and newspapers of the period – into vice and crime. This peculiar 'voyeurism' and a strange 'delight' for inquiring into the lives of the 'Other Victorians' both incited scandal and excited passions, but that such individual detail was actually included in official statistics testifies to the degree to which contemporary politicians and civil servants felt such information to be important. Either way, these were certainly statistics of infamous individuals. [74]

The second aspect was also present to some extent from the 1856 Criminal Returns onwards. It concerned the declining numbers of people considered to be "habitually criminal". For, along-side the emergence of the criminal individual there occurred a gradual reduction in the numbers of the "strictly criminal" class. Hence criminality, once looked upon as almost the natural state of the poor, was becoming less and less blurred across a whole class of the population but was crystallizing into the ideology of the 'hardened criminal', the member of a small but desperate sub-class at the very base of society. According to Gatrell and Hadden, speaking of the evidence in the Criminal

Returns of the late 19th century.

the evidence is slender but it does imply that prisoners, later in the century, were drawn from a hardened criminal class which was relatively less numerous, and less representative of the population as a whole, than that from which most offenders had been drawn earlier in the century. This may be taken to imply further that fewer 'potentially honest' people, who earlier in the century may have been driven to commit an offence because of want, were not brought before the courts. [75]

In this manner the myth of the modern criminal/offender was established. He is a figure whose character has been added to and subtracted from in the intervening years and who has undergone many significant changes of composition, but whose basic and ascribed status has altered only slightly. He remains, despite numerous strategic and tactical interventions, someone to be controlled. [76]

However, with the disappearance of the 'criminal classes' from the state's criminological discourse and the emergence of the individual offender, the victory of a particular strategy of social reform was announced. As was equally true in respect of discourses of poor relief, the emphasis upon character, morality and class, formed the basis of a detailed interrogation of the social existence of the 'dangerous and criminal classes' in which preoccupations with morality and efficiency predominated.

Classification and social division remained key components of this new strategy of social reform, the objective being to isolate the hard-core criminal, the deviant poor and the 'undeserving'. In order to concentrate a strategy of rehabilitation upon those remaining. In turn, those deemed undeserving of assistance were subjected to the harsh rigour of the Police, Prison and Poor Law authorities. Systems of classification were quite central to this strategy of reform. While the classification was often fairly arbitrary, it was nonetheless true that it served as a vital pre-condition for the success of the strategy of social reform and the resolution of the 'Social Question'. Similarly, while the discipline achieved through the system of Police and Poor Law was often crude, it was nonetheless an indispensable foundation for the organisation of all social policy.

Eventually the production of more thorough taxonomies of paupers and criminals – of the working class – and more elaborate systems of classification, led to a more rigorous investigation of their differences; such investigations giving rise to the formation of a knowledge of individual characteristics and circumstances. As Green has shown in his discussion of the 'taxonomic scandals' in the Poor Law Reports of 1834 and 1909, the categories of pauper, like the categories applied within the penitentiary, multiplied rapidly during the second half of the nineteenth century. And, as Green is correct to point out, in the same way that the prison warders were rendered the objects of disciplinary power in the most developed of penitentiary plans, the Poor Law reports of 1834 and 1909 included amongst their 'files in the taxonomic ointment', the fraudulent overseer and the irresponsible or lax official.

The 1834 Report focusses primarily on the able-bodied male pauper on outdoor relief but includes two other illegible objects: the mixed workhouse and the Parish Work Gang. The 1909 Reports are far richer in this respect. In the Majority Report we find the Able-Bodied Pauper of Working Age; the Ins and Outs; the Sick Pauper; the Casual Pauper; the Poor Widow; the Aged Poor; the General Mixed Workhouse; the Casual Worker; and the Vagrant. The Minority Report has, in addition to the Sick Pauper and the Aged and Infirm Pauper; the Heterogenous Relieving Officer; the General Inspector; the Able-Bodied Woman; the Mixed Workhouse Official (also called the Master/Matron Team), and the Destitution Authority. [77]

Green's analysis of the taxonomic construction of knowledge about the poor, the formation of the 'truth' of the poor from the respective points of view of the state administration, political economy and philanthropy, belies the simple notion that has gained a firm foothold in histories of social policy that 'the poor' were universally divided into categories of 'deserving or undeserving' and also further informs Williams' assessment that the major emphasis of Booth's work was classificatory. [78]

Through the advances in social scientific taxonomy and the emergence of more specific versions of the theory of social causation, the class-centred relief and rehabilitation strategies of the early nineteenth century gradually gave way to a more relational practice of intervention which was to come to form the basis of the 'case-centred' approach of the Charity Organisation Society. However, this gradual shift from class to character; from repression to casework; from

pauperism to pathology. In sum, the move from a view of pauperism as the result of a single general cause to the idea that its roots lay at the midst of a complex interaction of social, individual and environmental factors and 'categories of need'. [79] represents only one of the routes by which a disciplinary social administration came to rest, eventually, upon a detailed process of investigation and interrogation - the study of character and casework.

THE POLITICAL ECONOMY OF THE GOSPEL

Another theme contributing to the disciplinary system of social policy derives from an altogether more ancient discourse of 'God's Poor', a tradition of philanthropy that has been briefly referred to already. This theme stressed the innocence and naturalness of poverty in the feudal order of things, at the same time as it gave a firm basis to the relationships of rich and poor. [80] As Lis and Soly have put it,

The sanctification of poverty justified the status quo: the poor were nailed to a cross at the bottom of society. Since they brought about the necessary mediation between this world and the other, their place on earth seemed indispensable. The fundamental distinction between rich and poor was consequently unquestioned; for the souls of the rich sufficed an inner poverty expressible in good deeds ... the poor were reduced to the passive agents of a spiritual action which completely escaped them. The alms they received brought spiritual value to the donors alone ... and functioned as an investment in the hereafter. In short, the 'social contract' of the High Middle Ages came to this ... rich and poor needed one another; spiritual and material poverty were complementary. And after all, alms assured more than the soul of the donor. They also assured the continued existence of the labour market and the maintenance of a social equilibrium. [81]

Yet despite this theme of the religious 'sanctification of poverty', it is also true, as Lis and Soly have demonstrated, that a strong repressive and regulative tradition still manifests itself within the practices adopted by the feudal authorities. To acknowledge this tradition is not to seek to reimpose the misleading dichotomy of welfare and control upon the practices adopted by the almoners, but simply to recognise the contradictory effects of social ordering and pacification produced through the synthesis of objectives in the feudal

arrangement of poor relief. [82]

As should now be clear, there exists a long pedigree of charitable schemes – organisations of assistance – through which the acquiescence of the poor to their unsatisfactory conditions of existence, and the legitimation of the social order, has been achieved. It is through the examination of this process of legitimation and the associated reassertion of the existing social order that the distinctions between the feudal and the later, 19th century, schemes for the management of poverty become apparent. It is clear, from a number of early sources that 16th century secular and religious authorities made cursory inquiries as to the condition of the poor; adopted classifications deriving from the unfortunate circumstances in which people found themselves (beggars, vagrants, infirm and poor old men, orphans, the 'shamefaced poor' and even loiterers and foreign students [83]) and, at the same time, commenced investigations as to the Christian and moral virtues of the applicants for relief.

For instance, in 1523, Luther's Ordinance for a Common Chest required that the ten guardians of the chest, "make search and enquiry, and know thoroughly about all such poor as are mentioned ... in town or village, in our whole parish, and give advice every Sunday about them. The names of these poor people who have been so investigated, when it has been resolved to give them assistance, shall, along with the advice given, be clearly written in the register so that the provision of supplies in our common chest may be shared out in an orderly way." [84] Similarly, in Zürich in 1525, the Zwingli Ordinance touching Alms-Giving required that, "when persons claim poor relief, enquiry shall be made of their neighbours (through the superintendant of beggars) as to their origin and character." On the basis of such enquiries certain groups were denied relief whilst to others it was more readily granted. [85]

However, the most important point about these practices of relief and investigation is that they operated upon two distinct levels. Through poverty, the poor may approach more closely to God, through charity the rich may do likewise, but little in the way of secular rehabilitation was forthcoming for the poor. Perhaps the poor might regain employment and become, once again,

Industrious, but their overall situation remained just as precarious. Early charitable endeavour and moral investigation served more as a confirmation of circumstance than as the prelude to a positive assistance.

Nonetheless, it is not within the scope of this chapter to unearth, in its entirety, this historical pedigree of philanthropic endeavour. Rather, the objectives of this section are to examine this legacy of charitable practices at the point at which they combined most fully and coherently with an individualising moral 'science' of social classification and casework which, developing in the 19th century, formed the basis of a disciplinary social administration – in the full, literal, sense of the term – upon which the modern welfare state came to be based.

J. C. Symons, writing at a time he apparently considered the end of an epoch in European government – the epoch of the patriarchal or paternal system of government described by James Mill, [86] pointed to none other than a gap in the state's array of measures designed for the combatting of pauperism, crime, indigence and disorder. Symons disputed Mill's faith in the principles and practices of political economy as the means by which the evils emanating from the opposition of rich and poor, might be tempered. He agreed with Mill that,

To bind the various elements of society as far as possible in the bonds of charity and mutual good-will, enlisting the superior intelligence of the higher classes in behalf of the improvement of the lower is one of the modes of advancing the true interests of England.
[87]

Yet Symons also felt, above all, that this union of interests could be most effectively secured by what he referred to as a 'Political Economy of the Gospel' – which he appears to have understood in terms of a variety of christian juridico-moral techniques as well as forms of social intervention. In articulating the age-old problem of political order and social security through the problem of pauperism in this way, Symons would seem to be standing at the very point of intersection of two historically significant relief practices.

The older religious discourse of worldly poverty and plety opposed to a heavenly

salvation confirmed. In very practical and immediate terms the respective statuses of rich and poor. The newer discourse reflected in political economy and echoed throughout 'scientific philanthropy' favoured a rather more mortal conception of rehabilitation in the here and now and, at the same time, sought to found such 'organisations of assistance' as would actively foster an improvement in the morals and habits of the poor themselves and with their active participation and support. The establishment of various 'reformatory institutions' throughout society, encouraging attitudes of self-help and respectability and similar promotional aspirations, would seem to have been the most complete realisation of this strand of relief practice. Symons wrote that, "the power of the higher orders will mainly consist in chastening and Christianising that of the lower," but, on the other hand, he rejected all universal panaceas as the solution to the evils of pauperism such as those advocated by the new generation of political economists. In common with many of his fellow conservative philanthropists, Symons found a great deal to criticise and oppose in Malthus. [88]

The exhibition of evils is of very little use save as it tends to remove them: yet the advocacy of remedial measures, most applicable to our condition and the wants of our present times, has often very singularly impeded actual means of improvement. Panaceas are the bane of most reformers. They can seldom forego hobbies for comprehensive and various measures of improvement. The evils under which we suffer are manifold, and manifold must be also the remedies. No one, two, or three of the reforms suggested, will suffice for the purpose; the evil must be met by a combination of appliances, each fitted to some portion of the case, which may share with other concurrent efforts in regenerating society. [89]

Symons recognised not one, but a multitude of exclusions from civil society, not one great source of evil but a complex of factors that, collectively, resulted in pauperism. Granted, the aetiology called upon was frequently crude and moral factors often weighed disproportionately heavily upon the reformer's understanding of the problem. But, nevertheless, despite this and despite the religious language in which the reformatory manuals were written, a new preoccupation can be seen to appear in the objectives of relief work. The eighteenth century discovery of the 'vices' – the pathological components of the new modern individual – paved the way for a new secular preoccupation with cure, reform and rehabilitation. The English Preface to Gerando's book (The

Visitor of the Poor) tried to explain the 'philanthropic dilemma' whilst outlining the terrain of 'evils' demanding the urgent attention of reformers.

Are the evils of poverty dependant. in part, on the moral condition of the poor? And who can doubt this, that knows ought of the state in which many of them are; who knows how ignorance has brought among them vice and idleness, in some cases an utter prostration of character; a recklessness, a moral death, an extinction almost of natural feeling, so that the father's heart is in hostility with that of his own child ... the eye of the wife is evil towards her husband ... The thought of the passions that rage in many a family around us is heartrending to him who has merely human sensibilities; and worse to the Christian ... How is this to be cured?" [90]

The new discourse of 'cure'; cure as a strategic objective of moral policing and social intervention, was the element that tied the two historical strands of relief practice firmly together. 'Cure' stood apart from the mere alleviation of suffering in the material world and the consequent confirmation of respective statuses that had been the backbone of former relief practices. Practices which, in their supposedly 'indiscriminate' provision, attracted the criticisms of contemporaries for being a greater 'pauperiser' of the masses: "The pauper having tasted the sweets no longer feels the degradation of charity" - and fostered the imagery of the 'clever' or 'calculating' pauper whose improvident lifestyle was thought to be underwritten by the secure knowledge of freely available public benefits.

We may suspect that he is not so rash and improvident in this conduct as, upon and ordinary calculation he must appear to be ... our applicant soon comes to look upon his share of the parochial bounty as legitimate and a certain item in his yearly receipts." [91]

However, although the emergence of a preoccupation with 'cure' marked a shift away from the ordered hierarchy entrenched within earlier patterns of relief-giving, it is far from the truth that the new 'apparatuses of cure' in the 19th century failed to secure such effects. On the contrary, there are powerful reasons for believing that the class relations of relief and assistance, shot through with the standards of respectability, morality and diligent sobriety, so enthusiastically promulgated by philanthropists and bourgeois commentators, rendered a more pervasive and unconscious support to the relations of hierarchy in the 19th century society than did their earlier counterparts. [92]

In this manner, 'cure' stood in an equally complex relation to the new disciplinary and classificatory system of scientific relief practice rooted in the principles of political economy and translated into policy through the Poor Law Amendment Act of 1834. On the one hand, 'cure' implied a rather more interactive mechanism than the 'scientific' advocates of political economy envisaged – as much is apparent from Symons' critique of the principles of political economy as espoused by James Mill and, presumably, Bentham. The latter's proposals for a national organisation of poor relief, supplemented by a regional matrix of panopticon workhouses in which a regimental machine-like discipline was to be sustained – a discipline based upon surveillance and repression – represented, perhaps, the most comprehensive application of the principles of (capitalist) political economy yet, even so, had little by way of cure on offer. [93]

Bentham clearly hoped his panopticon, whether as penitentiary or workhouse, (although, in fact, as Bahmueller shows, for Bentham there was virtually no difference between the two institutions [94]) would reform, certainly its internal classifications and segregations, its 'moral architecture', were designed to this end. Yet, despite its omnipotent surveillance, its reinforcement of regularity, industry and obedience, there was little save the certainty of further repression to cultivate attitudes of 'voluntary' obedience amongst its inmates. [95] And, as historians who have researched the development of the modern prison have indicated, even in their most ideal manifestations such institutions lamentably failed to reform. [96] Despite the power relation contrived through the model architecture advocated by Bentham – an immense structuration of the human environment by which so many things were restricted – it seemed that the project of reform rested, as often, upon the moral and even spiritual relay afforded by the prison visitors and the chaplain. For Bentham, 'inspection' referred to a feature deriving from the careful design of institutions, for Chadwick and the Poor Law Commissioners, inspection and also discipline were features made possible by the efficient administration of the 'well-regulated workhouse', but for the more mainstream of English reformers, philanthropists and 'Tories', inspection had traditionally implied a somewhat more human relationship, and discipline referred ultimately to a discipline of the self. [97]

However, although the discourse of reform or 'cure' rested fairly uneasily with the full implications of the system of repressive deterrence derived from political economy, [98] a more fortuitous tactical alliance could be forged between the proponents of primitive forms of relief visiting or 'casework' and those early 19th social investigators whose disquiet about the moral condition of the poor has been well reported. [99] Motivated, as often by moral tragedies as by material deprivations, the social investigators whose interests stretched over into questions of reform policy are likely to have agreed wholeheartedly with Mr. Symons' argument that, "the exhibition of evils is of little use save it tends to remove them." [100] Hence a combination of talents profitable to both philanthropist and statistician recommended itself. To the former this liaison offered methods, the confidence of scientific practice, the quantification of results as well as a certain authority deriving from the mastery of technique. To the latter it offered the opportunity provided by the great 'laboratory' that was working class life, a deeper understanding of the practicalities of reform, the opportunity to develop methods for the study of aetiology and the chance to study all forms of the human condition. In short, to each, the alliance offered possibilities for positive and meaningful assistance and reform, the opportunity for a kind of 'action research' presented itself. In the cross-fertilisation of these two practices, it is fair to say that the modern discipline of relief management, a discipline that was to become social administration, was born. [101]

So what form of 'organisation of assistance' did these tactical alliances between old and new strategies for relieving the poor produce? What forms of intervention did philanthropists and investigators propose to seal the gap that Symons had identified at the heart of the state's most basic of defences against disorder?

THE PRINCIPLES OF FUTURE ADMINISTRATION

According to C. S. Loch, "if the principles of future administration be treatment, not gifts and maintenance, new forces must come into the field."

[102] It should, by now, be clear that the new forces – the forces of the social field – were none other than those forms of intervention pioneered by the bourgeois class under the auspices of economy, morality, authority and reform. Loch was aware of the challenges posed to the 19th century social order by rapid changes in population, production and political controversy. Following Sismondi, he attempted to characterise the principal concerns as they taxed the ingenuity of the enlightened bourgeois classes seeking solutions to the social and political conflicts they witnessed around them.

The substantive [matter] was economics ... the question was how to socialise it: the adjective was social ... Social science Sismondi deals with as a sister that an errant and aggressive economics has forgotten. He says 'Economics will always fall short at some place and must be made good by charity ... Economic science does not supply the key to the social problem: it has been preoccupied with things rather than with men; it has sought only how to increase wealth ... [However] it must add a place to its raiment and become social. It is the art of social economy to make men happy, materially and morally. [103]

More than mere system was essential to combat the weakened social ties, the sloth and profligacy of those poor assumed, already, to be too accustomed to the indulgence of the 'parish pay-table'. Advocates of the discipline of social economy were not men who lived in fear of the reprisals that the poor might exact in consequence of a cessation of the allegedly 'easy' system of parish relief, although the generic threat posed by the 'dangerous and criminal classes' was undoubtedly a real one to them. Rather, as befits advocates of the social, the social economists had in mind an accommodation of the interests of the social classes – around certain given criteria – and through this, the achievement of good order in society. This strategy ceased to be the ancient mechanism of legitimation and redemption by which, for centuries, the isolation of the poor was confirmed, but a more selectivist and discriminating practice altogether more suited to the regime of political economy and its promotional and competitive social formation. The building of reciprocal links between populace and nobility, between rich and poor, was a central platform of this emerging strategy. Repression and deterrence alone would not suffice. In one of his more fundamental 'Hints to Philanthropists', Davis remarked,

Though the fear of punishment may deter from atrocious and criminal actions, ... to produce in the labouring classes a superior line of

conduct, to excite them to prudence or exertion beyond the level of mediocrity and to fix in their minds and hearts good principles and virtuous habits, we ought to have recourse to rewards, commendation and encouragement ... Nothing will so forcefully excite a spirit of virtuous emulation among the poor, as the bestowing of certain marks of distinction by the rich, publicly and in the face of the country, as well as their granting pecuniary rewards to those who have best deserved them ... Were rewards for industry, sobriety, cleanliness, economy, and other moral virtues, impartially distributed among the poor by the higher classes, they would have an effect to raise in the former a desire to possess a good name: the satisfaction imparted would teach them the value of those gradations of rank and condition which belong to the well-regulated state of society, while it advanced them to a high scale in the same. It would create a reciprocity of regard and goodwill between the rich and the poor, and promote a happy community of interests, which is always desirable to a free and virtuous people." [104]

It was, however, manifestly clear to contemporary social economists that existing measures were fundamentally deficient in regenerating this community of interests. This was a judgement as critical of past poor relief practices, with their confirmation of the respective statuses of rich and poor but little practical philanthropic intervention as would heal the gulf between them, as it was of the new poor law with its singularly hostile regime.

In 1910, a time when two contrasting philosophies on relief practice came into open conflict, Loch, a former secretary of the Charity Organisation Society, entered a plea for the continued relevance of the personal and charitable influence in poor relief in opposition to the institutional model of assistance advocated by the signatories of the Minority Report and the Webbs in 1909.

Hitherto, the Poor Law System and differences of religion and class distinction have held people apart; and no central rallying point for voluntary administration has been created by the state or under statutory approval. The Poor Law has become a self-contained and more or less isolated body. It has taken little or no heed of means or methods which lie outside its organisation. In general its relief has been the indoor relief provided within the walls of its workhouses and workhouse institutions: its outdoor relief has consisted mainly of mere allowances given through the relieving officers [yet] there is a freedom of charity, a great liberty of endeavour which, though religious in conviction and feeling, is not bound down by religious exclusiveness and which is characteristic of those courageous spirits who would fain contend with the evils of their time ... and conquer them. [105]

To appreciate the nature of this reservoir of supposedly untapped zeal which seems to have constituted the heart of Victorian philanthropy, we need to recall

a number of things. Firstly, we must remember that it was the victorian working class family around which so much philanthropic endeavour was arranged. Secondly, we must recall that 'transition', described earlier, which pushed a particularly puritan 'social' feminism which emphasised the need for, above all, moral rehabilitation – the 'cure' of vice. And, finally, we must recognise, once again, the vital distinction which operated within the social economist's discourse, between poverty and pauperism. As Cormack has explained, "pauperism was not merely poverty; it was moral degradation. And the object of the reformer therefore was to rescue character – to regenerate." [106]

Thus the reform of morals stood out above all as the primary task of the reformer. The Poor Laws had offered a remedy in the form of the repression of indigence, the crushing of pauperism and the building of the workhouse 'Bastilles' [107] as the state's first line of defence against the pressure of 'want' within the working class, but a gentler, more effective, instrument of intervention, which would work more directly upon the morals of the poor and 'cure' their vices, seemed necessary. Yet it was wrong to pose the Poor Law and philanthropy as two competing alternatives, as many contemporary philanthropists tended to do in their frequent castigation of Poor Law methods. The Poor Law and philanthropy were not and could never be complete alternatives for the Poor Law was, in a very immediate and obvious sense, the basis of the ordering of class relations in the 19th century and also the foundation from which the more selective intervention of philanthropy began. Even so, for some, such compromise could not be admitted. The Reverend Tuckerman, for instance, the American editor of De Gerando's 'Guide' to the visitation of the poor, was not one to mince words over the real priority in relief work or over his specification of what must be done.

Poverty and its attendant evils spring rather from moral than physical causes, and by moral appliances should their removal be sought.
[108]

He then turned his anger upon those he believed exacerbated the real problem by giving the poor money instead of sound moral guidance.

Even the Provident Societies may aggravate instead of reducing the

evil. If their agents, allowing themselves to be diverted from their proper office, attend more to the physical than the moral wants of those they visit. [109]

A solution had to be found. Tuckerman was seeking to alter the character of relief strategy rather than its social objective. Like his contemporaries engaged in penal reform, Tuckerman sought to change the nature of the political investment made by 'authority' in the social relations of class society by the specification of new forms of influence and new objects to which it may usefully be applied. It is difficult to advance the notion that Tuckerman had 'rediscovered' the soul or the mind as the true focus of social reform for, given his own religious roots and his overwhelmingly 'moral' preoccupations, the soul would have always imprisoned the body. but Tuckerman (and the generation of religious philanthropists of whom he was fairly typical) were important for having turned this longstanding religious acknowledgement into a secular strategy of social reform. Henceforth, social reform would rest upon new moral sites of power, the social philanthropist hoped that the poor would no longer be confronted by the rich but, in future, would be engaged in an infinitely more productive and 'useful' relationship with the moral and governing classes.

The failure of existing instrumentality bids us consider what new measures may be devised. Now what is this the failure of? Coercion. Force. And the failure of coercion or force suggests the employment of the mild and caring agencies of benevolence; or if force be still in some degree necessary, let the force be so directed as to remove, not aggravate the evil. The failure too is a failure in a system of correction. For a remedial, then let a system of prevention be tried. Let the school master and the visitor of the poor take the place of the gaoler. [110]

With these thoughts in view, Tuckerman commended De Gerando's 'guide' for the visitation of the poor to his contemporaries. In doing so, however, he made another discreet attack upon those who sought to systematise poor relief under a generalised regime of oppression within which little attention was paid to the moral condition of the many categories of pauper and which seemed to offer little hope of improvement within the poor themselves. [111]

Standing firmly by the essential principles of charitable relief – discrimination, moral assessment, character improvement, a detailed knowledge of motivations and the necessity of self-control, Tuckerman offered the ultimate defence of the

philanthropic 'mission'. For him Gerando's work represented

not the fictions of a dreamer nor the speculation of a theorist... [On the contrary] ... Its author really knew the poor, not merely as they are seen in the streets, nor merely as they are represented in books, or as they appear to the casual observer in almshouses; but by personal, free, and long continued intercourse with them in their habitations. He was therefore qualified to write of the poor. [112]

To this end, the furtherance of a knowledge of the poor, the selection and promotion of the individuals deemed worthy of reclamation and the correction of all else that led to vice and immorality, De Gerando's book was delivered in the manner of an early manual on the art and science of the visitation of the poor.

However, we would be wrong to ignore the conflicts and political differences which alternative forms of pauper management – based upon mutually opposed genealogies of the developing knowledge about the poor – conceded. [113] In a number of respects the lines of opposition are far from clear. Whilst Chadwick and the Poor Law Commissioners had sought to compel the cessation of charitable relief to the poor, preferring the unitary discipline of the workhouse 'test', the authors of the 1834 Act "allowed a place for charity over and above the minimum requirements of the law. 'Where cases of real hardship occur,' the Report said, 'the remedy must be applied by individual charity, a virtue for which no system can or ought to be a substitute.'" [114]

It is not intended, in this chapter, to consider the explicitly political conflicts engendered by the pressure to amend the Poor Laws, nor even to examine the more theoretical disputes over the practical advantages of different relief practices. Adequate account of the political cleavages over the Poor Law can be found elsewhere. However, where such conflicts overlap with our present concerns – namely, on the question of the local 'paternalistic' organisation of relief, arrangements which permitted a frequently rural and highly localised bourgeoisie to retain authority over local Poor Law administration and perpetuate longstanding moral classifications of the poor in particular districts and parishes – then, in such cases, the variety of practices developed within and around the Poor Law make these political conflicts highly relevant to the present

discussion. [115]

Nevertheless, for the most part we remain primarily interested in a co-evolution of disciplinary systems for the management and relief of the poor (despite until 1869, at least, the absence of efforts to "encourage a fruitful and sensible co-operation of Poor Laws and public charity") throughout the first half of the 19th century, beyond the Goschen Minute of 1869 and up until the conflicting reports of the 1909 Commission. Despite the attempts of the 1834 Poor Law Commissioners to prevent the giving of relief 'in aid of wages'; and to bring under strict control the practice of voluntary relief giving, and the powerful conviction amongst some social thinkers, following Thomas Chalmers, that, "private charity and public relief could not live side by side," [116] a growing complementarity and synthesis can be observed between the two principal relief discourses. In terms of the refinement of disciplinary power within the system of poor relief this synthesis was obviously a very productive association. A relief system prohibitively oriented towards the mass and a system of individual supervisions would yield a host of very effective techniques and sites of application for the future patterning of social relations.

In the following few pages this gradual synthesis of procedures, of language and, ultimately, of a knowledge of the poor [117] will be examined through an analysis of the emerging science of pauper investigation, the 'science' that became the new discipline of social casework. Although a new knowledge of the poor was certainly in process of formation, as in the case of the investigation of the 'Criminal Classes' discussed earlier, it seems fairly clear that private associations, philanthropic and visiting societies, were developing a far more sophisticated knowledge of the poor than was the state and the poor law authorities. For instance, while Williams has characterised the new 'model' workhouse as representing a "particular kind of disciplinary regime," he then went on to qualify his remarks.

This was discipline without knowledge of paupers. The model plans of 1835 and the 'Order' of 1847 both limited possible knowledge. The hub and spokes structures were not true panopticons where the paupers were always visible; the paupers were only visible from the master's quarters when they were in the exercise yards. Moreover, the 1847 'Order' did not require the development a knowledge about paupers. Such knowledge would require documentary support in the

form of dossiers on paupers. But the general mixed workhouse only kept a stocktaking record of paupers in the form of an admission and discharge register ... The workhouse before 1870 was dedicated to a blind repressive discipline. [118]

For more rigorous attempts to scrutinise and classify the population and to develop a genuine knowledge of the poor we must look, firstly, to the methods and the work of the philanthropic and visiting societies, after 1840, to the statistical societies and later to the work of the large municipal charities and the Charity Organisation Society. In examining this growing discourse - a knowledge of the poor - and the extent to which it fed into the operation of the poor law institutions and their officials, we must be alert to the cross-fertilisation of ideas, methods of investigation and inquisitorial techniques between private philanthropy and the Poor Law: the emergence of essentially similar practices of recording, classifying and discriminating adopted, firstly by charitable workers and later by relieving officers; and, finally, the similarities in aetiologies adopted by the respective relief agencies and the common assumptions pervading relief discourse. [119] The mixture of aetiology, morality and relief work tended to turn the attempt to deal with the 'problem of pauperism' into an immense labour of individualisation, a labour which, although originating in the older, moralistic and charitable discourse on pauperism, translated fairly easily into the official discourse of the Poor Law authorities. By the second half of the 19th century, official discourse had accepted an almost entirely individualised understanding of the causes of pauperism, thus preparing the ideological ground for a more developed alliance between the coercion and authority of the Poor Law and the disciplinary supervision mobilised through the charitable and philanthropic associations.

In the course of these developments, and especially during the later decades of the 19th century, social investigation became increasingly sophisticated in its organisation and methods, a trend matched by the growing 'professionalism' of the social investigators and personnel engaged in 'social' management occupations such as the organisation of relief. Indeed, this was so whether those organisations were state bodies or within the voluntary sector. [120]

INVESTIGATING THE POOR

De Gerando's small manual, 'The Visitor of the Poor', provides a useful starting point for any analysis of the development of Inquisitorial and supervisory techniques in the first part of the 19th century. [121] The manual was intended as a guide not only for those who visited the poor already, but also for those who administered relief funds, were responsible for charitable collections or dispensed necessary articles to the poor. Thus the manual intended to serve as a fairly comprehensive guide for the management of the poor. But more than this, De Gerando also hoped that his work would impress upon the enlightened citizenry of his time – those who often fell prey to charitable collection boxes – the importance of moving beyond charity, beyond the gift itself, to a more responsible relationship with the poor of society. Published in 1833, during the investigations of the Poor Law Commissioners and a year before the publication of their report, the guide offers a fascinating alternative view of the solution to the 'problem of pauperism' that has to be posed alongside the 'solution' proffered in the 1834 report, if only because it embodied a form of discipline different to that of the Poor Law but with which the Poor Law eventually merged.

At the same time, The Visitor of the Poor marks one of the first real points of contact between a more modern, systematic and disciplinary discourse on the control of pauperism with more ancient and essentially theocratic doctrines on the responsibility of the rich and the relations between the rich and poor in general. However, while the text is interesting for these kinds of associations it is especially remarkable for the way in which it developed a very clear analysis of the component elements of any comprehensive administration of social assistance. De Gerando's preoccupations are with distinguishing the really needy and deserving cases from the rest, with 'fraud and abuse', with visiting and investigation (whether as a security or a welfare measure), with questions of 'take-up' and the detection of needs, with questions of the most appropriate forms of relief delivery and questions about the arrangement of supervision. When these, perhaps universal, aspects of social security

'operational strategy' are combined with other more characteristically 19th century preoccupations in relief work ('vice', moral reform and the pressure to work) then De Gerando's seemingly limited system of charity appears as a remarkably comprehensive regime of social administration displaying a number of quite modern features. security, supervision and assessment and a concern about 'fraud and abuse' being but three of the most obvious. Nevertheless, De Gerando's work still constituted a specific statement in its own right. Its objective was to achieve a number of quite definite changes in the assistance of the poor and move charity onto a higher plane. From the time of the book's publication, no serious philanthropist could afford to ignore its warnings. The supervision of the morals and living of the poor was now paramount, this required effort and commitment, the visitation of the poor could no longer take place merely, "when the leisure of the committee permitted." [122] In future, visiting, or 'real charity' would be at least as important a component in the relief process as the giving of alms.

Charity, then, and not alms giving is the aim ... the vocation of the rich man and the great element necessary to harmony of the moral world. Alms giving is only one of the instruments of charity; it is not the only one, or the most important; it even contradicts and sometimes destroys, the effects of charity itself.

A largess given in a general way, thrown out to escape importunity, subscribed and published to nourish pride by the ostentation of false virtue, has nothing to do with charity, with that tier which unites brother to brother. When alms-giving is but a shield from personal pain, and selfish terror, at the sight of misfortune ... It is an insult to the miserable. Charity alone does good. Her solicitude is enlightened and prospective, as well as tender and affectionate. She examines before she acts; she takes a wide survey, and extends her regards to the future. [123]

From now on, the acts of charity can no longer be left to the individual whim and fancy of the bourgeois classes. Charity would have to be precisely organised and administered, with an especial premium on supervision, for, "indiscriminate alms-giving ... causes difficulty by creating a new and factitious indigence. The individuals who are its objects become idle ... they have learned to count upon their external aid, not upon their own resources." [124]

The guilt of the indiscriminate alms-giver was manifest in the outward

appearance of every demoralised pauper, believed De Gerando, for the pauper came to rely upon the sporadic assistance of the rich rather than upon the certainty of their own effort. In consequence the poor were frequently disappointed and bitter. It is not difficult to discern here the author's view of the real victims of the indiscriminate alms-giver, for certainly it is the poor themselves. Tempted by "mistaken kindness", "degraded by idleness and debased by falsehood", the plight of the pauper was seen as the direct result of the, "vain and meddlesome bounty" of the unenlightened bourgeois. The latter were guilty of the gravest crime of all, they have taken from the poor their only source of future subsistence (their independence) and deprived them of their only wealth (their labour). They have, in short, "taken from them their morals." [125]

The dire consequences of such misapplied charity confront the true philanthropist with his first challenging question: "'How shall I discriminate?' Says the alms-giver." Having arrived at this first and most fundamental question of philanthropy, De Gerando proceeds to elaborate those techniques of enquiry in which the philanthropist must become skilled. How might we distinguish pretended indigence from the real? Is not the former even more pressing in its demands? "Undoubtedly," De Gerando confirms, "Importunity itself is sometimes a sign that should put you on your guard." [126] But then again the true philanthropist does not merely wait upon the requests of the poor, much more is required if he is to be really diligent.

Why do you not go to the person that implores you, and why do you not seek out those who do not implore you? It is in their dwelling places that you must investigate which is the reality and which the phantom; and it is an investigation that requires attentive study. It is not enough that you are open handed, you must open your eyes too. It is your own fault if you are deceived. [127]

From the point at which the investigation begins in earnest, nothing is to be taken for granted. All the apparent signs of family life, thrift, need and virtue must be quizzed in some detail for what they might reveal of the character or true circumstances of the family members. "In the first place, consider the age and sex; examine the state of health and strength ... A child, an old man, they will surely not deceive. But," says De Gerando, "cannot their family

maintain them? Or may not the grey hairs of the one and the innocence of the other, be used as instruments by shameless speculators? Beware how you become an accomplice in a conspiracy against the most holy ties of nature."

"... a mother surrounded by young children. But do they belong to her? Has she not borrowed, or perhaps stolen, them from their own mother?"

"... an invalid. But is the infirmity real?" [128]

In dealing with the poor, therefore, nothing has to be taken at face value. Matters of circumstance being paramount, it is far too important to rely on mere representation. The philanthropist must delve beneath the surface and appraise the character of those whose assistance is under consideration. It is upon this basis, these enquiries, that the decision to assist must rest. The discrimination is complex, the enquiry into character being of central importance, for De Gerando's discourse only admits of a limited form of 'real poverty' - a form of poverty which derives only from certain fairly closely restricted circumstances. Yet, to relieve effectively, we must go back to these circumstances, the conditions that De Gerando was willing to admit, were genuine causes of poverty.

It is significant how, in De Gerando's scheme (as in many other studies of the state of poverty), the investigation of the presenting symptoms of poverty or indigence becomes, for all practical purposes, the foundations of a general science of the condition in question. In the examination of poverty are contained, in outline, the general principles of relief administration and a knowledge of the poor themselves. The examination of the 'problem of poverty', the generation of classificatory knowledges and discriminatory administrative practices, are all tied intimately together within the overall objective of recasting the relations of hierarchy, association and order between rich and poor. In this at least De Gerando's work was no exception.

Yet the whole scientific enterprise deriving from this objectification of the

problem of poverty and the entire process of relief administration depends upon the establishment of systems of classification and of the means of discrimination. Answers are required to a multitude of questions which will illuminate the aetiology of pauperism, answers which will focus the future direction of administration. Thus, for De Gerando, even accepting the substantial part of the 18th century 'materialistic' explanation of poverty, did not preclude the foundation of a highly discriminatory relief administration.

To distinguish the causes of real poverty, we must go back to its causes. There are three causes of real indigence. Inability to labour, insufficient produce of labour and absolute want of employment. [129]

These then are the only causes of poverty that are admitted, these alone are 'real': all other poverty is no more than the falling of individual character or industry and required help more moral than material. However, even those legitimate forms of poverty must necessarily remain suspect until proven. Proof itself was no simple matter, especially insofar as the general categories of legitimate poverty broke down into a number of more specific disadvantages and conditions, each of which being capable of a variety of interpretations drawing upon a wealth of personal, social and environmental factors and depending upon the particular standards employed by the investigator. It is unrealistic to assume the absence of moral preoccupations within the character assessments of particular visitors or relief investigators particularly as their interventions were an express contribution to a moral discourse with a moral objective in view and all the doubtful idiosyncracies of the supposedly 'human nature' to be wary of.

Some of the implications of these investigatory techniques become apparent in the schedule of enquiry proposed for those cases where it was believed that poverty was due to inability to labour, "whether the cause be temporary or lasting."

Inability to labour is temporary with the sick and wounded; lasting with the old and incurable. It is also either absolute or partial. It is absolute with the bedridden, the paralytic, and the maimed; and partial with all others. To judge ... you must see for yourself. You must go to the bedside of the sufferers, and not once only, but on different days at different hours. Even this is not enough, you must question the neighbours, you must bring a physician. [130]

The investigation, however, is not complete upon the investigator merely ascertaining the truth about an alleged condition, for when the object is remoralisation a more thorough supervision is required. Genuine cases of distress might still be accompanied by some forms of fraud and deception which exaggerate the difficulty or prolong the cure. The investigator having provided a remedy must oversee its operation, he has only himself to blame if it is misapplied or, worse, sold in pursuit of some more immediate pleasure. The author chastises such lax administration.

The fault is your own. had you known how to observe, there were a thousand looks and gestures, any one of which would have betrayed their secret. It was your duty to learn how long these people had been in the house, where they lived before, why they quitted their former house, what reputation they left there, when and how the patient had been attacked by disease; a thousand things should have been known, nearly their whole lives. [131]

And there we have it, the ultimate objective of inquiry into the lives of the poor. Nothing less than a complete 'science of the poor' was anticipated. [132] And this was no mere knowledge for its own sake but, in a class society, the most basic of all knowledges prescribing for the bourgeois class the proper exercise of social 'influence', the most promising means of mediating the social relations of capitalist society in the period before this was systematically attempted by the state or relayed through the pressure of the labour market.

Such preoccupations, bearing directly upon the reproduction and ordering of the classes of poor, become increasingly apparent in De Gerando's discussion of those cases of indigence resulting from inadequate income or 'under-employment'. Before entering upon a discussion of these other 'real' causes of poverty, the author felt it necessary to reiterate the laws of political economy dictating the reproduction of wage labour. The question of poverty had to be firmly situated within the parameters imposed by the laws of political economy. Only in that context did poverty constitute a problem for De Gerando and his contemporaries, and only in that context did they believe that its solution was to be found.

In the labouring classes of society, the price of daily labour is naturally regulated by the sum necessary for the support of the generality, and it is found insufficient for cases of exception. [133]

It follows that poverty can only be the unfortunate result of Improvidence in the rearing of children, irregular habits of employment, or similar problems of aptitude and application. Certainly a huge grey area of 'partial Indigence' reveals itself, a condition that the author was willing to regard as fairly 'respectable'. However, having thus established 'normalcy' in accordance with criteria of political economy it is not difficult to see the way in which De Gerando's principles of disciplinary supervision cajole and correct the recipients of relief into proper habits and manners and the formation of the appropriate aptitudes for members of a labouring class.

The visitor of the poor must pay especial attention to the women and mothers of the working class. Whilst being encouraged in the belief that perhaps the woman was, after all, entitled to special consideration, "on account of her sex", visiting philanthropists were warned of the need for an especially stringent supervision of cases involving women for, "misery may lead a woman to a still greater misfortune than poverty. It may expose her to seduction." And later, even after having decided that the hapless woman is worthy of material assistance, the philanthropist is warned, "you must redouble your care, lest she share your bounty with the vile seducer himself." [134]

For these visitors of the poor there is hardly a task quite so important than the supervision of the morals of mothers and, through them, the family and its internal relationships as a whole. There is no objective so central as that of ascertaining whether the mother, "surrounded by children, is worthy of the name ... learn how she has lived, in order to better inform yourself how she lives now."

The visitor must then address the following enquiries (answers are never enough, observation and corroboration must support every answer solicited from the family in question).

How do the husband and wife live together? ... Have the parents turned the assistance they have already received to the advantage of

the family? Study the internal habits of the family. If the parents do not tell you the truth, the children will betray it unconsciously. From their condition and language you can judge what are the lessons and examples they are accustomed to receive. [135]

Finally the author turns to those cases of distress arising from want of employment - although, even here, care must be of the utmost for, "nothing is so common as to exaggerate poverty". [136] It is acknowledged that underemployment can arise in a variety of circumstances beyond the capacity of the individual to affect, but the potential visitor is cautioned of the one-thousand and one ways in which defects of character and the upheavals of industry work to the detriment of individuals and families. Thus,

each particular case of poverty which is referred to ... [these general causes] ... must be investigated carefully. A workman may, from caprice, change his labour for a kind to which he is not so competent. You must go to his employer, and ascertain the fact ... you must go to his previous employers also, and trace out his history. Other questions may also arise; is the trade, or kind of labour a flourishing or languishing one? Is it overflowing with the numbers who follow it? Is it suited to his talents? All these things are to be considered before you can assist or reprove the inactive labourer. Having ascertained all the circumstances you will know how to act. [137]

When the visitor has discovered the truth behind the workman's situation, it may well be that he considers him in part responsible for his own predicament. Even so, "the indigence may be real now, [and] care must be taken not to ward off the salutary consequences which teach him an important lesson; and yet no written rules can be given for such delicate cases." [138] The investigator is called upon, once again, to apply tact and discretion to the solution of a difficult problem. Again, many more questions follow. The investigator is reminded of the true objective of 'real charity', its orientation to the future and how it must cure the evils which cause indigence: improvidence, idleness and debauchery. But even these are scaled in a hierarchy, improvidence being the "most excusable" because "it is sometimes found connected with honesty, even with industry and activity." Although this is for the investigator to discover for himself.

Improvvidence has its peculiar signs. You must examine the dwelling, see how the furniture is arranged, look at the linen, and, obtaining their confidence, learn how they combine their scanty means, and see if they know how to choose, to spare, to save. They will tell you

all their imprudences, under the reviving hope of being assisted; and thus you will have opportunity to offer them the counsels which will give permanent value to what you bestow on them. [139]

Where persons have been improvident, the lesson of circumstance may well lead to their complete recovery, suggests De Gerando, it is an altogether different matter, however, where the fault is one of idleness. For idleness is a disease, "not of the mind, but of the soul." [140] Idleness is a "deep evil ... perhaps the hardest of all to cure." A criminal or a vicious person can be made to repent, "but how can you raise the stupefied from their torpor? It is like trying to raise the dead." [141]

Visitors of the poor are now reliably informed that there are different kinds of idleness and a battery of questions ensue so as to enable them to discriminate and, having discriminated, to act.

Has the indolence in this particular case a physical character? or is it the effect of a discouragement? or of a sort of idiocy? or the consequence of lax morals? You must watch the manner, the step and dress. Physical indolence will be quiet and hold out its hand, almost unconscious of its own character. Discouragement will manifest itself in a sombre and melancholy sadness; it will be silent and reserved. Idiocy will be inefficient in the midst of the greatest want, and indifferent to the relief of suffering. Moral idleness will betray itself in debasing servility. You must not trust in discriminating these kinds of indolence, to present observations; but you must go back to the childhood and youth of the individual, and endeavour to ascertain his moral history. [142]

Finally, at the end of the catalogue of 'causes' of distress, we come to vice itself. In such cases the visitor is advised not to despair for vice can often be seen as an accumulation of misfortunes, each having their separate remedy if one remains patient. Nonetheless, vice invariably presents any investigator with a problem, for it is seldom inscribed in the demeanour of the sufferer to be read by any competent enquirer, rather, vice is almost always deliberately hidden.

Vice is almost always concealed. It is often enveloped in a veil of hypocrisy! We must observe carefully ... We must watch for those inadvertences which the most cunning cannot avoid. We must mark whether our sudden appearance to them seems to agitate them, and what impression our words make; we must surprise them in those actions which they thought would be concealed from us; we must find out their connections in life and the kind of characters they have most

frequent intercourse with. [143] .

And in these ways, the visitor or investigator was to scrutinise the poor in order to classify them in the most accurate detail so that they might be most effectively assisted. It is admitted that in matters of distress and human character one does not have the benefit of precise science, the author's understanding of the causes and effects of indigence are not absolute or universal, for it was acknowledged that in all relief work the judgement and discretion of the investigator was quite crucial. Despite the almost doctrinal clarity of the written discourse on the practical aspects of poor-visiting, the multifarious conditions under which the poor lived implied that remedies were neither clear-cut nor easily found, strict rules of practice were displaced in pursuance of suitable objectives, but it was the visitor, first and foremost, who had the responsibility of making this apparatus of investigation and remoralisation work. Indeed, herein lies the very weakness of De Gerando's entire strategy of relief.

Notwithstanding the claims of its many and varied proponents, the voluntary visiting agency could never effectively accomplish the nationalisation of relief practice upon which the new industrial order would come to depend. On the contrary, the visiting agencies were almost entirely local in their scope and aspirations. Further, they demanded too much in the way of experienced visitors to be feasible as an alternative to an institutionalised regime of repression and assistance (the Poor Law). But above all, the system of visiting and the personalised authority of the investigator working under a charitable scheme, was far too idiosyncratic, accommodating far too readily to the specific circumstances and deficiencies of the poor themselves and required far too great an investment on the part of the philanthropic agencies themselves. On the contrary, the project of reform aspired to by the political economists demanded that the poor themselves made the greatest contribution and that far less, politically, be required of the state, philanthropy or the 'governing classes' themselves.

The lesson of philanthropy declared that it was, above all, the poor who must be invigorated and encouraged to develop proper habits of industry and pursue

employment. Why then was it that the burden of relief work was to fall the most heavily upon the rich and industrious. A truly relational system of discipline could not be set in motion by a corps of investigators, the poor themselves had to be made to work at their own remoralisation. The labour of the home visitor could not be made the mechanism by which the relief apparatus was to work. In so many respects it was too inefficient: every characteristic had to be registered, every transaction closely supervised, every statement corroborated. The burden of non-compliance had to be made to fall more directly upon the poor themselves. As a consequence, and with these dilemmas in view, the later discourse of philanthropic organisation and charitable administration came to centre more directly upon the most effective use of charitable resources and the most appropriate arrangements for the delivery and distribution of relief. Yet despite the best efforts of the philanthropic organisations, their theorists and administrators, the problems inherent in the supervisory discipline of charitable relief could not be resolved within the framework of philanthropy.

De Gerando had fashioned a huge philanthropic apparatus based upon the gathering of a vast amount of information, forming a virtual science of pauperism. From this he hoped that the causes, effects and remedies of the problem could be finely calibrated as a prelude to its elimination. However, the system of investigations he envisaged required too costly an intervention on the part of authority, and his pattern of supervision was too prohibitive and cumbersome to imprint itself firmly upon the social relations of the working classes and the poor. It remains only to see if we can learn anything from the system of discipline embodied in his interrogatory and supervisory procedures.

THE LABOUR OF REFORM - THE BURDEN OF PHILANTHROPY

De Gerando's methods, insofar as they relate to the attempt to classify the poor, have already, to some extent, been discussed. In an important way, such classification emphasised and reasserted the view that there was a real

and valid difference between 'genuine' poverty and other forms of indigence. As has been shown, in a very direct way, the attempts to perpetuate these distinctions produced the immense projects of investigation and reform 'dreamt up' by 19th century reformers. Nonetheless, these projects of investigation and classification, while intimately related to the process of reform, were strictly only the foundations upon which the massive labour of reform, itself, was to be built. Yet an equal degree of attention had to be given to the task of reform too. If the diligent work of the investigator in classifying the poor was not to be wasted by a lack of attention to the progress of the remedy. Assistance to the poor was not to cease with a single act of charity but had to continue until the pauperised were once more reinstated in the ranks of the virtuous and industrious. [144]

Such concern for the supervision of remedies demanded that the visitor or investigator constantly return to the homes of the poor and the recipients of relief (of course, assistance need not have been material - clothing, food or money - for in fact the very object of many of the return visits may have been exclusively to proffer that which the manuals so quaintly referred to as advice, instruction or 'spiritual' relief). Thus, whatever form the relief took, it was invariably accompanied by a succession of visits from the investigators of the charitable associations who were making their enquiries as to 'progress'. And the supervision of improvement, or remoralisation, was every bit as rigorous as the process of classification. It too, by its very operations, contributing to a deeper and fuller knowledge of the character of the poor. Yet, despite the myriad of conditions of pauperism elucidated by contemporary investigators, despite the several classes of pauper, each with their own dismal case history, despite even the complex techniques of assistance designed to draw the suffering back to the ranks of society, the precise enquiry which precipitated the process of remoralisation and incorporation was singular, simple and very familiar.

There is only one way of discerning the truth. See if the poor who are capable of any portion of labour, accepted it with pleasure and executed it with zeal, when it is presented to them. Do they themselves second and aid your exertions to the utmost of their moral and physical resources? Do they limit themselves to accepting only what is necessary to make up the deficiency of their wants? If so, you have reason to presume that the indigence is real. If, on the

contrary, they neglect the labour that is presented to them; if they relax when they are supported, then there is reason to doubt. [145]

In relieving the poor of their most pressing wants, investigators expected to see more, not less, activity on the part of the poor as a result. Even in its earlier forms, therefore, relief was directly related to an intensification of, the pressures upon, and the coercion of, the poor. Not gratitude but industry was a proper repayment for assistance given. The donations given by visitors of the poor can properly be seen as investments in a currency of morality and social promotion, sound character and habits of obedience and industry being considered an appropriate return. The beginnings of the strategy of social normalisation lies in these primitive techniques. [146] yet the supervision which led to these desirable objectives was punctuated throughout with a profound suspicion, a suspicion which was triggered by the observation of particular attitudes and forms of behaviour within the poor. For instance. "Does the poor-man insist on obtaining assistance in money, or does he willingly accept it in useful articles? ... What kinds of articles does he accept most willingly?" Such preferences on the part of the pauper are all indicative of unsatisfactory possibilities:

You will sometimes see those, who, if you believe all they say, were ready to die of hunger, receive with a bad grace, and even disdain, a cheap soup; and sometimes go and sell it. [147]

Nevertheless, our author continues,

There are no indications of this kind, which can supercede the necessity of investigation. To go, to see, to converse; above all, to continue these observations with method and a kind of persevering connexion, - this is the first and essential condition. [148]

And when the decision to assist has been reached and the process of remoralisation set in train, the checks on the development of the poor continue. "Apply to the proprietor or the principal inhabitant of the house to find out if the rent is regularly paid, and if the family is peaceable and regular in its habits ... the neighbours should be consulted also. But their testimony should be received cautiously." [149]

In time the practical observer of the poor would come to know and appreciate the signs of deceit and insincerity, the manners of the incurable and the improving, and in becoming so skilled, this investigator would, so it was hoped, come to exert an ever more favourable influence upon those poor in his charge. Counselling his potential visitors upon the necessity for experience in the cultivation of appropriate responses from those paupers assisted, De Gerando remarks that the poor

will receive more advantage from us when recognising our superiority: if we should descend to their level they would perhaps abuse our condescension. The poor, on many accounts, are like children, they have want of foresight and are ignorant; they easily allow themselves to be carried away; they need to be supported, restrained, directed; they need more than a benefactor, they need an instructor, whose character may never be mistaken by them. [150]

This was indeed a tall order for the bourgeois philanthropist, his role was no longer that of a simple distributor of assistance, for now, not only must he assess and classify the poor in his charge, but he had also to remain their constant guardian and supervisor. In many respects this injunction to the investigators echoed the instructions of a long tradition of christian philanthropy, reflected, for instance, in the work of Thomas Chalmers.

By charity, [Chalmers] meant the benevolence which moved the giver to sift each case, even at the cost of self-sacrifice in time and energy, so that the relief forthcoming was the most likely to promote the moral character and the sturdy independence that was his chief aim. [151]

Gradually however, the philanthropist's own practice, character and aspirations were coming increasingly into question. The need for a perpetual vigilance over his own attitudes, preoccupations and practice became one of the watch-words of the aspiring investigator: "if we have often been deceived we may also become suspicious to excess ... sometimes we are discouraged by failure, [sometimes] too easily encouraged; we follow routine too much; we pronounce too promptly ... we think ourselves able to judge by a glance; we cease to scrutinise." [152] All such improper attitudes may affect the capacities of the investigator; real distress might go un-noticed whilst the most successful deceit might find itself rewarded. In either event, the proper relation of rich and poor through philanthropy is distorted by the investigator

who failed to perform his difficult tasks with sufficient competence. [153]

This reciprocity of social relations within the vehicle of philanthropy made the initial contact between the visitor and the poor family an especially important interaction. Gerando went to some length to elaborate the importance of securing the confidence of the poor and the most effective means for doing so. However, on examination, these 'means for securing the confidence of the poor' break down into a number of rather more specific operations. Simultaneously, securing the confidence of the poor entailed: gaining the respect of the poor; convincing the would-be fraudulent that dishonesty will not prevail; convincing the idle that habits of industry were a necessary element of remoralisation and assuring the genuinely needy that their requirements will eventually be met, are all components of 'securing confidence'. The supposed subtleties of approach, reassuring mannerisms or kind introductions, that a technique in securing 'confidence' might imply, faded in practice to become little more than those, already familiar, techniques for the classification and division of the poor, but with the added requirement that one treat such persons according to their category.

The poor will sometimes seek to deceive you. The sense of want disposes to falsehood ... If you are not able to verify the facts they allege, the more they will flatter themselves that they can deceive you ... there are on the contrary, others whom timidity induces to hide from us their true situation ... they fear to try our patience ... the liar might be known by his affirmative tone, his affected assurance, and the abundance of words. [154]

Yet whatever the case, whatever the presenting characteristic of the poor in question, the certainty, regularity and, by now, familiarity, of a technique reasserts itself. "Let us be suspicious of every demand, whose object is announced as so urgent that it does not leave time for reflection and examination. Let us be suspicious of every recital too well arranged not to have been prepared beforehand and learnt in some degree by heart. Let us compare all the circumstances." [155]

Comparing 'all the circumstances' seems to have been nothing less than the production of a most searching enquiry into the life, motives and aspirations of each person in need of assistance. The case-centred approach, developed

later through the work of the C.O.S., becoming the key element of social work, clearly has its roots in a very searching, disciplinary and interrogatory practice, at least as concerned (certainly in its earliest manifestations) with the repression of deception or willful and contrived indigence, as with the relief of distress. For example, the distinction, referred to earlier, between 'real' or other causes of distress was founded, almost entirely, upon such techniques. Once again, the only means for ascertaining the facts, from which point the process of remoralisation could begin, was a form of rigorous and perpetual observation and enquiry.

For this inspection, it is necessary that the same poor should remain for some length of time under the inspection of the same visitor. In the course of this habitual inspection, he will be able to remark if the condition of the poor under his care has become aggravated, imposed, or modified, in any way; and will avoid continuing assistance when it has ceased to be indispensable. [156]

Even the means of distributing such material relief as investigators deemed was necessary, was organised so as to promote the rehabilitation and moral reform of the poor while simultaneously aiding the process of supervision by the visitor of the poor, thus contributing to a discriminatory relief practice which had many of the elements of nineteenth century class discipline stamped upon it. [157]

Let us be at the very heels of him who wishes to take us by surprise; if necessary, let us make him fall ... into some snare, in which his falsehood may be brought to light. It is painful to say it; but daily experience forces us to acknowledge that, too often, the poor will affect great exactness in their religious observances to make the benevolent more favourable to them. It is by penetrating their internal history, by studying their domestic relations, and the conduct of neighbours, and by examining the use they make of their time, that we unmask their hypocrisy. [158]

The desire to discriminate and the pursuit of all forms of deception and contrivance was indelibly stamped upon the relief practices that went by the name of 'true charity'. In many respects, what the visitors were offering was very little by way of relief at all; when they actually did provide any material assistance it was only part of a much larger objective. The ~~essentials~~ of 'true charity' can be most accurately characterised as a kind of schooling of the working class, by the middle class, in the elements of political economy and morality.

If we can obtain the direction of the affairs of a poor family, we should, in the first place, endeavour to teach them the science of economy. The least attention to it makes a wonderful difference in their affairs. [159]

Visitors of the poor were constantly reminded that, "a too easy kindness may become an encouragement to falsehood". [160] In this light, their objective appears more like an attempt to reconcile the poor to the privations of their existence and to the need for unending labour, rather than anything which, today, we might refer to as relief. The process of rehabilitation, via the principles of 'true charity', sought to convince the urban poor and working class that none of the benefits of life came without effort, that the way to a good life was through honest toil, and that little advantage lay in deception, for to practice deception was to deceive oneself. True charity, the charity that merged fairly comfortably with Smiles' doctrines of 'self-help', was to work directly upon the minds, aspirations and future possibilities of the poor rather than upon their immediate physical and bodily wants. Such a disciplinary application of the principles of political economy through philanthropy is apparent in the philanthropist's formulation of budgetary tables for the poor. These budgetary tables were designed to encourage foresight and self-restraint in the expenditure of poor families, yet perhaps most significantly, the methods or techniques of budget-tabling appear to have taken precedence over the adequacy of the goods themselves (money and material resources) concerned. Rather like their modern counterpart - debt-counselling - the pauper budgetary tables betray a far greater interest in the outgoings of the poor than in their income. Abstinence, method and the (permanent) deferment of indulgence in a project that sought to make a science of thrift became ideals in themselves irrespective of whether, in amount or variety, goods consumed were sufficient to meet the needs of the family in question.

In the past, relief had placed its emphasis far too strongly upon the sustenance of the body. 'true charity', on the other hand, was to have the mind as its frame of reference. In charitable practice this shift of emphasis away from physical sensations and the body to the mind was contiguous with a series of similar shifts occurring within the institutions which were involved with the 19th century problem of population management. [161]

Visitors of the poor were to unmask falsehood and contrivance in pauperism and relief applications, not merely as a fraud upon benevolence itself but, most seriously of all, as a form of self deception, a denial of realities – moral standards and the sound principles of political economy – that were, as if, self evident to the non-depraved sections of the population.

To unmask falsehood ... It is necessary to convince a liar, that far from finding any advantage in deceiving, there is nothing to be hoped but from scrupulous veracity. When the inclination to deceive amongst the poor announces a depth of baseness, ... let us impress them, if possible, with a respect which may put an end to the abuse they make. [162]

On the one hand, pauperism is decried as an abuse to the poor, on the other hand, the language of vice, responsibility and moral failure – the culpability of the poor – announced that pauperism is none other than the worst (and therefore the most dangerous) form of self abuse. [163]

Through philanthropy, as we have seen, a discriminating and disciplinary exercise, the poor were to be returned to society, reconciled to its beliefs and divisions and rendered content with their lot. This 'rehabilitation' was not to be secured entirely through ideological reconditioning but also, more directly, through the situation of the poor, once more, firmly within the socio-economic relations of industrial society. These socio-economic relations, the poor were reassured, were fixed and inevitable, to fail to conform was to exclude oneself from the means of subsistence, to suffer voluntarily but unnecessarily. The charitable societies were able to exploit this idea in their more deterrent outbursts.

It is especially with regard to intemperance and debauchery, that corporal privations and sufferings may have a salutary effect. It is rare that such vices have been reformed without the assistance of such chastisement. ... Idleness also demands harsh and rough treatment; it must feel the law of necessity ... The calculation of interest may be united to a sense of duty but this interest alone, however evident and however urgent it may be, is not sufficient to restore inward life to a being there paralysed; morality is necessary to combine a new interest with material interest and the governing sense of duty must be developed to induce him to take care of himself. [164]

The return of the pauperised to their proper place within the social system and

their renewed commitment to its principles was, in any event, supplemented by the sanctions of poverty or the workhouse. As has been described earlier, the new philanthropy of which the investigators and visitors of the poor were a part, no longer, realistically conceived itself as a thoroughgoing alternative to the poor laws – in terms of which, the 19th century 'wider law of labour' was formulated – on the other hand, however, neither were the visitors and investigators merely supplementary. Rather, as will be further demonstrated, philanthropy and the Poor Law were complementary, their administration became more and more interdependent, the network of philanthropic practices coming to rest upon the state's administration of poverty in the Poor Law.

Together, the Poor Law and philanthropy pursued the socio-economic rehabilitation of large sections of the pauperised working class. In effect, ushering through the transition from the dangerous, criminal and pauperised class, to the modern, industrial working class, a class whose accommodation to industrial capitalism was gradually being secured and who looked increasingly to the existing system for the realisation of virtually all their major aspirations. Throughout the whole of this accommodation, or modernisation, of the 19th century working class, the role of the visitor of the poor would continue to assume a quite central significance.

After the visitor of the poor has studied the situation of the poor, and found out their wants, he must endeavour to discover the most economical means of assisting them. He must teach them economy, the spirit of order and foresight and how to preserve their self respect and dignity ... extraordinary results are not necessary ... It is sufficient that each member of the family fulfils well in the humble sphere which is assigned to him, the post to which providence calls him, and comports himself as an honest and useful man. This is what the true interest of the family and the general order of society demands. [165]

APPENDIX TO CHAPTER 3:

THE FORMS PROPOSED BY THE STATISTICAL SOCIETY
OF LONDON FOR THE RECORDING OF THE PERSONAL
CHARACTERISTICS OF OFFENDERS. (1839-40).

CRIMINAL RETURNS.

Forms for Registering the principal Circumstances connected with the Birth, Parentage, Education, and Condition of Criminal Offenders; the nature and probable Causes of their Offences, with the result of their Trial. Prepared by a Committee of the Statistical Society of London.

THE object of the Statistical Society, in propounding the accompanying Form of Criminal Registers, is to enable magistrates, clerks of assize, and gaolers, to obtain further particulars of offenders than have hitherto been collected.

The form is intended for the registration of individual cases brought before magistrates or courts.

The first column is for the "Number of the Offence," as entered in the book in the consecutive order of the charges made.

The second column, "Date of Charge before Magistrates," explains itself.

The third column, "Number of Offender," is to indicate the number of offenders in consecutive series, as distinguished from the number of offences.

The columns headed "Name," "Sex," "Age," require no explanation.

The column headed "Occupation" is subdivided into professed and actual, in order to exhibit the real as well as the professed or assumed occupation of an offender.

The column headed "Residence" is to be filled up with the name of the place which the magistrate, or other person making the return, considered to be the offender's last usual or ordinary place of abode.

The three following columns, headed "Domicile," are inserted in order to ascertain what proportion of offences are committed by natives, inhabitants, or strangers.

The columns headed "Parentage" are chiefly applicable to juvenile offenders.

Those headed "Education," "Domestic Condition," "Previous Character," are so minute as to require no further explanation.

The column headed "Previously Convicted" could only be filled up

SOURCE: Journal of the Statistical Society of London, Volume 1, 1839.

accurately, as to felonies or misdemeanours, by the clerk of the peace, &c.; but, as to petty offences, the magistrates, it is supposed, can generally identify the persons who repeatedly appear before them, and can briefly allude to the number and nature of their offences.

It is supposed, if nothing is stated to the contrary, that the offender is of sound mind; if he be not, the fact should be stated in the column for that purpose, distinguishing whether he be weak or insane.

The column headed "Date of Commission of the Offence" requires no explanation.

The "Specific Name of the Offence," as house-breaking, dog-stealing, ring-dropping, shop-lifting, is to be inserted in the column for that purpose.

The head, "Persons or Things on or in respect of whom, or which, the Offence was committed," is subdivided into two columns, namely, "Persons" and "Things," and the sub-head, "Things," is further subdivided into "Nature" and "Value."

In the column, "Persons," may be stated the sex, whether old or young, whether any relation to the offender, as father or child, as master or servant, &c.

In that headed "Nature of Things" may be inserted such particulars as the following: whether the property stolen, destroyed, or damaged, was food, wearing-apparel, tools, lead, glass, articles from carts or carriages, linen exposed to dry, and poultry.

In the column, "Modes," may be stated whether the offence was committed by force, as by breaking a door; by fraud, as false messages, &c.; by stealth, as entering when a door is left open, picking pockets, &c.

In the column, "Instruments," may be stated the weapon, &c. by which a bodily injury was inflicted, or a burglary effected, as false keys, &c., and so of other offences.

Under the head, "Inducements to commit the Offence," the ordinary causes are enumerated. If the inducement be unknown, or be of a nature different from those mentioned, it may be stated in the general column, "Other Inducements."

The division of "Desire of Gain" into profligacy and distress will, it is believed, include almost all the cases in which gain is the inducement; but if any other should occur, such as in the case of larcenies by persons to whom neither of those motives could be ascribed, it may be stated in the column, "Other Inducements."

The object of the next column, "Indulgence of Sexual Desire," will be frequently obtained by giving the specific name of the offence, as rape, &c.; but as gain and other motives may also influence the commission of bigamy, abduction, &c., it is desirable to exhibit the distinctive motive of each case.

"Malice" will, of course, include revenge, and all cases arising directly or indirectly from ill-will, as, for example, an injury inflicted on an animal to gratify malice borne towards its owner.

"Wantonness" will include cases of mischief in which malice towards a person is not the influencing motive, as wanton cruelty to animals, the love of excitement, &c.

Under the head "Proximate Causes of Offence" are columns for stating the circumstances, whether the offender or the person injured was intoxicated (a fact which it is of the highest importance to exhibit),

and whether the offender was tempted by opportunity, as by goods being exposed in an unguarded manner for sale; tools, &c., being left in unfinished houses; children being entrusted with valuables, &c.

In the next two columns, "Persons Charging," and "Witnesses," it may be stated whether the prosecutor is the party injured, or is an official, or a public or private informer; and the magistrate, for his own use, may fill up the columns with the names of the persons.

The head "Hearing and Examination" includes five sub-heads and eight columns, which are applicable to the cases brought before magistrates in their first preliminary stage.

The column headed "Cases not entertained, and why," is for entering those cases in which, for want of jurisdiction or other cause, the case is not entered upon.

The sub-head "Case amicably adjusted" has two columns, the first of which is for entering adjustments by the parties after the charge has been made, but before the hearing. The other is to include the cases in which the magistrate actively interferes, or tacitly acquiesces in an adjustment.

The next sub-head, "Cases discharged," has three columns, the objects of which are sufficiently described. The two last columns of this head are only applicable to cases which go to trial by jury.

The head "Trial, Summary or by Jury," contains columns most of which are applicable to both species of trial.

In the first should be stated the "Court or Jurisdiction" before which the cause was tried, viz., whether before a single magistrate, petty session, quarter session, or assize, &c.

To preserve a distinction which is always marked in the Scotch system of jurisprudence, namely, between cases which are considered to be false charges, and cases in which the legal amount of evidence to prove guilt is not adduced, the columns "False Charge" and "Case not proved" are introduced; a distinction which can be taken in summary convictions.

"False Charge" is meant to signify the innocence of the offender; but all verdicts of not guilty are to be entered in the column headed "Not Proved." "Culpability or Negligence of Complainant" is applicable to cases before magistrates dismissed on those grounds.

"Insanity of the Offender" is sufficiently intelligible. Under "Defect of the Law" may be registered the instances of cases of offence which, on trial, it is found that the law will not reach.

"Costs" are to be noticed in cases of fines, because their amount is often a considerable, though an indirect, portion of the punishment, and is generally taken into account in fixing the fine.

The term "Simple Imprisonment" is meant to distinguish imprisonment without whipping, hard labour, &c. which are to be noticed in their respective columns.

"Corporal Punishment" refers to such punishments as stocks, &c.

The other two columns in this head require no explanation.

The remaining columns are only applicable to cases tried by jury. The first will contain sentences respited by the judges, and the two next are to distinguish the execution and the commutation of punishments.

In the last column the date in which a free pardon is given may be inserted.

No. I.

Number of Offences.	
Date of Charge before Magistrates.	
Number of Offender.	
NAME	
Sex.	
Age.	
OCCUPATION.	
Professed.	Actual.
RESIDENCE.	
Domicile.	
Native Inhabitant.	
Inhabitant not Native.	
Stranger.	
Parentage.	
Legitimate or Illegitimate.	
Foundling or Orphan.	
Education.	
Cannot read.	
Can read only.	
Can read and write ill.	
Can read and write well.	
Has received a superior Education.	
Instructed or not in the Doctrine of future Rewards and Punishments.	
Nature of Employment to which the Offender was brought up, if to any.	

No. II.

Domestic Condition.		Previous Character.		Previously Convicted.	
Married or Single, Widower or Widow.		Sober or Drunken.		Number and Nature of Offences, distinguishing Felonies, Misdemeanours, and Petty Offences.	
Whether living in illicit Cohabitation or not.		Industrious or Idle.		Whether of Weak Intellects or Insane.	
Legitimate.		Generally well-conducted or Vicious.		Date of Commission of the Offence.	
Illegitimate.		Number of Children living.		OFFENCE, Specific Name.	
Persons or Things on or in respect of whom, or which, the Offence was committed.		Persons.		Modes or Instruments by means of which the Offence was committed.	
Things Stolen, &c.		Force.		Modes.	
Mature.		Fraud or Stealth.		Inducements.	
Value.		Unknown.			

No. III.

Inducements to commit the Offence.		Deeds of Gala.	From Profligacy.					
			From Distress.					
		Indulgence of Sexual Desire.						
		Malice.						
		Wantonness.						
Proximate Causes of Offence.		Intoxication.	Other Inducements, and Nature thereof.					
			Of the Offender.					
		Of the Party on whom the Offence was committed.						
		Tempting Opportunities.						
		Other Causes, and Nature thereof.						
PERSONS CHARGING.			WITNESSES.			Case not entertained, and why.		
HEARING AND EXAMINATION.			Case amicably adjusted.	Before Hearing.				
				By Interference of Magistrate.				
Case discharged.			As not amounting to an Offence.					
			On Payment of Expenses, Amount thereof.					
Person committed for Trial.			On Party's own Recognizance, or on Bail.					
Person held to Bail to appear and take Trial.								

No. IV.

TRIAL SUMMARY, OR BY JURY.									
Court or Jurisdiction before which tried.		Acquitted, and Grounds thereof.							
Date of Trial.									
Case not prosecuted.									
Bill ignored.									
False Charge.									
Culpability or Negligence of Complainant.		Convicted--Nature of Sentences.							
Charge not proved.									
Insanity of the Offender.									
Defect of the Law.									
Legal Technicalities.									
Amount thereof.		Fine.	Imprisonment, with Term thereof.						
Amount of Costs.									
In Default of Payment of Fine.									
Simple.									
With Hard Labour.									
With Whipping.		With Solitary Confinement.							
Corporal Punishment.		Transportation, Term thereof.							
Death.		Sentence respited.							
Sentence executed.		Punishment commuted, Nature of Commutation.							
Free Pardon, and Date thereof.									

NOTES TO CHAPTER 3: THE DISCIPLINE OF SOCIAL POLICY (PART I)

1. E P Thompson, The Making of the English Working Class, 1963, page 276.
2. F C Mather, quoted in P Mawson, Poor Law Administration in South Shields, MA thesis, 1971, page 35.
3. See for example, C F Bahmueller, The National Charity Company: Jeremy Bentham's Silent Revolution, 1981, D Melossi and M Pavarini, The Prison and Factory, 1981, S Marglin, 'What Do Bosses Do?', in A Gorz (ed), The Division of Labour, 1976, M Foucault, Discipline and Punish, 1977, and Z Bauman, Memories of Class, 1983.
4. Bahmueller, op cit, 1981, Melossi, op cit, 1981, see also Melossi, 'Institutions of Social Control and the Capitalist Organisation of Work', in NDC/CSE (ed) Capitalism and the Rule of Law, 1979, and Melossi, 'Strategies of Social Control in Capitalism: A Comment on Recent Work', Contemporary Crises, volume 4, 1980, T Sellin, Pioneering in Penology, 1949, and R Evans, The Fabrication of Virtue, 1982.
5. B Edelman, 'The Legalisation of the Working Class', Economy and Society, volume 9, number 1, 1980, F Hearn, Domination, Legitimation and Resistance: the Incorporation of the 19th Century English Working Class, 1978.
6. See for example C A Hartjen, Possible Trouble: An analysis of Social Problems, 1977.
7. J C Symons, Tactics for the Times: As Regards the Condition and Treatment of the Dangerous Classes, London, 1849.
8. J Parker, Citizenship and Social Policy, 1975.
9. This encompasses far more than the mere privatisation of public assets, but has to be seen as part of the process of dissolution of certain political and administrative forms of welfare capitalism when in crisis. Recent work on welfare capitalism and social democracy, particularly drawing upon the Swedish experience, has shown how the social sphere has become vulnerable to a highly privatised series of

- notions about the 'good life', welfare and well-being. The economic and political foundations of these ideals pose a major challenge to contemporary attitudes to social welfare and poverty and need.
10. G Kay and J Mott. Political Order and the Law of Labour. pages 108-110. 149-151.
 11. P Thane. The Foundations of the Welfare State. page 88. 1982. See also, N McCord's view that "the work of the charitable organisations and the poor law machinery was essentially complementary." 'The Poor Law and Philanthropy'. In Fraser (ed). The New Poor Law in the 19th Century. 1976.
 12. A Digby. Pauper Palaces. 1978. A Brundage. The Making of the New Poor Law. 1980. and M E Rose. 'The Anti-Poor Law Movement in the North of England'. Northern History. number 1. pages 70-91. 1966. See also, N C Fdsall. The Anti-Poor Law Movement. 1969.
 13. See R Evans. 1982. op cit. P Pasquino. 'Criminology: The Birth of a Special Savoir'. Ideology and Consciousness. number 4. 1978. and J Heath. 18th Century Penal Theory. 1963. See also, Z Bauman. 1983. op cit.
 14. Bauman. op cit. 1983. Symons. op cit. 1849.
 15. M J Cullen. The Statistical Movement in Early Modern Britain. 1975.
 16. P Corrigan. State Formation and Moral Regulation. PhD thesis. University of Durham. 1975. and Corrigan. (ed). Capitalism, State Formation and Marxist Theory. 1980.
 17. M J Cullen. The Statistical Movement in Early Modern Britain. 1975. see pages 5-6.
 18. F Burton and P Carlen. Official Discourse. 1979. page 6.
 19. See for example, J Baudrillard. The Mirror of Production. 1975.
 20. M Foucault. 'On Governmentality'. Ideology and Consciousness. Number 6. 1979. pages 16-19.
 21. Cullen. op cit. 1975 page 7.
 22. ibid. page 81.
 23. Rev. T. Malthus. An Essay Concerning the Principle of Population. 1970 edition. discussed in Cullen op cit. 1975. pages 12. 80.
 24. See for example, A. Silver. 'The Demand for Order in Civil Society'. R. Lane. 'Crime and the Industrial Revolution: British and American Views'. In Journal of Social History. Vol. 7. No. 3. 1974. J J Tobias. Crime and Authority in 19th Century Britain. D Phillips. 'A New Engine of Power and Authority: The Institutionalisation of Law Enforcement in England 1750-1830'. In Gatrell et al. (ed) Crime and the Law. 1980.

- K. Jones and K. Williamson. 'The Birth of the Schoolroom'. In Ideology and Conscousness, no 6, 1979, and V. Bailey, (ed) Policing and Punishment in 19th Century Britain, 1982. See also, I Chevalier, Labouring Classes and Dangerous Classes in Paris During the First Half of the 19th Century, Routledge, 1973.
25. See for example E P Thompson, The Making of the English Working Class, 1963, part 1, and R. Taylor, 'Images of the Irish', New Society, 28th November, 1974.
 26. Silver, op cit, page 3.
 27. See for example, Jones and Williamson, 1979 op cit, Bauman, Memories of Class, 1983. Amongst this mass, the value of the individual was diminished, the penal system could, accordingly, operate a strategy of repression with relative impunity. See for example, Rusche and Kirchheimer, Punishment and Social Structure, 1964, page 20 passim.
 28. Jones and Williamson, 1979 op cit. Education and instruction figured prominently in the Reports of the Statistical Societies, a report on the moral condition of the criminal classes, or the condition of the working classes often looked very much like a treatise on educational reform. See for example, J. Fletcher, 'Moral and Educational Statistics of England and Wales', Journal of the Royal Statistical Society, Volume 12, part III 1849.
 29. Marx, The Civil Wars in France: As Corrigan and Sayer have remarked, "While capital rules, for example, the political and moral economy of capital will be dominant; but that dominance is always an achieved phenomenon, established through a constant day long, year in and year out, class struggle against the political economy of labour and the moral relations appropriate to its emancipation." Corrigan and Sayer, 'Moral Relations, Political Economy and Class Struggle', Radical Philosophy, No. 12, 1975, page 19.
 30. Foucault, Discipline and Punish, 1977, page 194.
 31. See for example, Symons, Tactics for the Times: As regards the Condition and Treatment of the Dangerous Classes, London 1849. Keating's extracts from the work of the 19th century 'social explorers' (Into Unknown England, 1976), Cullen's work on, The Statistical Movement in Early Modern Britain, 1975 and Ritt's analysis of, The National Association for the Promotion of Social Science, 1959, alongside Mayhew's works on London Life and Labour, 3 Vols, all convey a similar concern with the morals and condition of the poor -

a social scientific voyage of discovery into the depths of working class life, and a highly interventionist moral economy.

32. In the 1840's, the search for a general aetiology of pauperism and deviance that would form the basis for a new state social administration guided the investigators of the 'dangerous and criminal classes', approximately 100 years later. Grunhut announced that the study of criminology was guided by a similar investigative task only this time focussed upon the individual offender. "In criminology, statistical information indicates the direction for further etiological (sic) research ... It is a legitimate purpose of criminology to make the experience gained from an analysis of criminal careers available for the courts and parole boards, as there is a dire need of empirical material on which to base their decisions in the best interests of prevention of crime and the reformation of the offender." M. Grunhut, 'Statistics and Criminology', JRSS Vol. CXIV, part 2, 1951, pages 144, 158. In both the 19th and the 20th century, therefore, aetiological research into class, poverty and deviance, was geared to the foundation of a pre-emptive state science of social administration.
33. See for example, Foucault, 1977 op cit, and Foucault, 'The Concept of the 'Dangerous Individual' in the 19th Century', International Journal of Law and Psychiatry, Vol. 1, No. 1, 1978. N. Walker, 'Dangerous People', International Journal of Law and Psychiatry, Vol. 1, No. 1, 1978. Hepworth and Turner in their book on Confession: Studies in Deviance and Religion, 1982, discuss the ritual and practice of confession as a form of public discourse on guilt, in which criminality was individually negotiated. They consider the utility and significance of the confession at a time when the enforcement of law and order was becoming bureaucratised and criminality less a characteristic of one particular class than of particular individuals.
34. Cullen, 1975 op cit, pages 26-27.
35. See for example, the report by the Revd: J. Clay, (Prison Chaplain) on 'Prison Statistics in Preston', JRSS, Vol. 2 1839, by J. Stephens, (Superintendent of Police), 'Returns of Prisoners for Newcastle-on-Tyne', JRSS Vol. 1, 1839, pages 324-327, and Sir Charles Shaw, (Commissioner of Police) 'Weekend Police Statistics in Manchester', JRSS, Vol. 5, 1842.
36. See for example, W A Guy, 'On the Best Method for Collecting and Arranging Facts', JRSS, Vol. 3, 1840, pages 353-366, and the report in Vol. 1, 1839, pages 174-178, on 'Forms for Registering the

Principle Circumstances ... of Criminal Offenders' (see Appendix). Later During 1839, the Secretary of the Statistical Society of London, Rawson Rawson, was pleased to announce, "It was stated ... that the Revd. Mr Clay, Chaplain to the Preston House of Correction ... had adopted the forms recommended by the Society for the collection of information relating to the social and moral condition of criminal offenders." JRSS, Vol. 2, 1839, page 442.

37. See P. Corrigan, State Formation and Moral Regulation, Phd Thesis, 1975.
38. Rawson, JRSS, Vol. 2, 1839 page 319. More recent writers, Gatrell and Hadden, 'Criminal Statistics and their Interpretation', in Nineteenth Century Society: Essays in the use of Quantitative Methods for the Study of Social Data, Cambridge University Press, 1972, and Cullen 1975 op cit have tended to confirm this view of the limitations of the 19th century statistical data.
39. S. Redgrave, 'Introduction', to the Judicial Statistics for 1856, Part 1, 'Police, Criminal Proceedings, Prisons', pages v-vi, C. 2246. This revision of the statistics followed the passage of the County and Borough Police Act of 1856, passed "to render more effective the Police in the Counties and Boroughs of England and Wales." (19 & 20 Vict. c. 69).
40. Ibid. page vi.
41. As Jones and Williamson (1979 op cit.) have clearly shown, the criminal and/or dangerous class was the explicit focus of concern for so many strands of reformist and philanthropic concern.
42. See E P Thompson, 1963 op cit, although as is clear from the work of the moral reformers, the 'political vice' was not always referred to as 'socialism'. Defending the Statistical Societies' focus upon the poorest classes, Rawson argued, "Are not debauchery, intemperance, profaneness and irreligion, those parents and associates of crime, more frequent and more gross among the lowest and ignorant classes than among the upper and better educated?" JRSS, Vol. 3, 1840, page 335.
43. See, H J Graff, 'Pauperism, Misery and Vice: Illiteracy and Criminality in the 19th Century', Journal of Social History, Vol. 11, No 2, 1977. See also Donzelot, The Policing of Families, 1980, and Prochaska's description (Women and Philanthropy in Victorian England, 1980) of philanthropy's endeavour to transcend the boundaries of class to promote national harmony.

44. JRSS. Vol. 3. 1840. page 14. and Vol. 5. 1842. page 212.
45. For example: "The educational part of the enquiry furnished the matter for a copious and on the whole favourable report." JRSS. Vol. 5. 1842. page 212. or. "Serious books ... slightly preponderated in number over the theatrical or amatory books." JRSS Vol. 3. 1840. page 15. Similarly, a report in 1839 was pleased to announce that. "the efficacy of religious knowledge in restraining persons from crime has been proved." Vol. 2. 1839. page 444.
46. JRSS. Vol. 1. 1839. pages 483-484. Vol. 4. 1841. page 320.
47. JRSS. Vol. 5. 1842. page 215. see also Cullen. op cit. page 112.
48. JRSS. Vol. 1. 1839. page 360.
49. JRSS. Vol. 2. 1839. page 372. Vol. 3. 1840. page 15. Similarly, a report on the availability of books in local libraries in the City of Westminster. found only one such library which contained books of an "immoral character". As it turned out, however, this was considered acceptable by virtue of the fact that the books were kept on a separate shelf, not intended for the use of the working classes but for the use of the gentry attending a neighbouring hotel and coffee-room. JRSS. Vol. 1. 1839. page 485.
50. JRSS. Vol. 2. 1839. page 443.
51. JRSS. Vol. 1. 1839. page 357.
52. See Cullen. 1975 op cit. and Jones and Williamson. 1979.
53. Grunhut. 1951. op cit. page 139.
54. JRSS. Vol. 1. 1839. pages 174-178.
55. JRSS. Vol. 2. 1839. pages 319.
56. Rawson. 'Report...'. JRSS. Vol. 3. 1840. page 344. On the relative criminality of the sexes, however, Rawson was less 'progressive' his classifications were general and universal rather than individual. see pages 317; 325-327. in the same article.
57. JRSS. Vol. 5. 1842. page 266. Vol. 2. page 445.
58. JRSS. Vol. 1. 1839. page 325. Vol. 2. 1839. page 85.
59. Gatrell and Hadden. op cit. 1972. page 341.
60. *ibid*.
61. Select Committee on Criminal Commitments and Convictions. 1826-1827. Report. Part I. 1827. British Sessional Papers. 1826-7. Vol. VI page 5.
62. Select Committee... Report. Part II. 1828. British Sessional Papers. 1828. Vol. VI page 419.
63. Report of the Select Committee on the Police of the Metropolis. 1828.

British Sessional Papers, 1828, Vol. VI page 1.

64. H J Graff, 1977 op cit. "literacy was the universal measure chosen. Since illiteracy was accepted as the sign of ignorance, the knowledge of the prisoners achievement or status was an essential concern." Page 249.
65. The systems of classification within the prisons were rather more advanced by virtue of the way that the specific objective of the prison was to reform, the fact that the effort of reform required the separation of the inmate from the contaminating influence of other convicts, and the fact that this was only a realistic proposition insofar as the inmates were each categorised according to their own degree of 'contamination'. See for example, Evans, The Fabrication of Virtue, 1982, and Jones and Williamson's discussion of the Society for the Reform of Prison Discipline, 1979 op cit, page 71 passim.
66. Gatrell and Hadden, 1972 op cit, pages 384-386.
67. See for example, F P Thompson's discussion of crime and criminalisation in Whigs and Hunters, 1975. See also, C A Hartjen, Crime and Criminalisation, 1974, and J Griffith, The Politics of the Judiciary, 1977. R Spicer's work on the utilisation of the law on Conspiracy, 1978, and more recent analyses of the policing of industrial disputes, have drawn attention to the utility of a strategy of criminalisation as the basis for the organisation of political control. Kay and Mott's analysis of the organisation of 'police' regulation makes the same point.
68. Judicial Statistics: Return on Criminal Offenders, 1856, page xiii 1857, C. 2246. A Criminal Justice Act, 18 & 19 Vict. c. 126, was responsible for a significant reduction in the number of female commitments to prison during the latter part of the 1840's. See the 'Introductory Report' to the Criminal Returns by the Criminal Registrar, S. Redgrave.
69. Ibid, pages xvii-xviii.
70. In fact the title, 'Census of the Criminal Classes' was not introduced until 1858 but essentially all the information included within this 'census' was being collected by 1856. The main categories included within the 'Census' were, 'Known thieves', 'prostitutes', 'vagrants and tramps', 'suspicious characters', 'no known occupation' and, finally, 'previously good'. The real significance of this census is not that it referred simply to the incarcerated portion of the criminal classes but also to the "criminal classes at large."

71. Judicial Statistics 1857 (c. 2407) and 1858 (c. 2508), pages xi-x.
72. Gatrell and Hadden. 1972 op cit. pages 345-346.
73. Judicial Statistics: Criminal Offenders. 1856 op cit. page xi.
74. See above, note 33. on the emerging discourse of individualism within which the discourse upon criminal aetiologies and responsibilities were based. On the Other Victorians, see Marcus. 1964.
75. Gatrell and Hadden. 1972 op cit. page 378.
76. See for example. R. Sallèles. The Individualisation of Punishment. London 1911. D. Garland. 'The Birth of the Welfare Sanction', Journal of Law and Society. Vol 8. No. 1. 1981. Foucault. Discipline and Punish. 1977. and Foucault. 'The Concept of the 'Dangerous Individual' in the 19th Century'. 1978.
77. R S Green. Knowing the Poor: A Case Study in Textual Reality Construction. Routledge. 1983. page 119.
78. K. Williams. From Pauperism to Poverty. 1981. page 309.
79. P. Thane. The Foundations of the Welfare State. 1982. page 89. and see also. J. Fido. 'The Social Casework of the Charity Organisation Society'. In Donaldgrodski. Social Control in 19th Century Britain. 1977.
80. See for example. F R Salter. Early Tracts on Poor Relief. Methuen. 1926. R W Mienert. The Care of the Poor. 1974. P. Fideler. Attitudes to Poverty in the 16th Century (1981) and K. Wrightson and D. Levine. Poverty and Piety in an English Village. 1979.
81. C. Lis and H. Soly. Poverty and Capitalism in Pre-Industrial Europe. 1979. pages 22-23.
82. Time after time it becomes necessary to dispute the misleading dichotomy of welfare/control that over a century of relief management has imposed upon the study of social policy. For instance. the regulation of relief. the status of settlement and the provision of subsistence were but aspects of the same general network of circumstances as described by Wrightson and Levine. 1979 op cit. And indeed. as the Webbs noted. "How hard it is to become convinced that the spirit of love. if it is to be truly beneficent - and therefore really kind - must be disciplined." English Poor Law History. 1927. page 5.
83. Luther's 'Ordinance for a Common Chest'. 16th century. reproduced in Salter. 1926. op cit. pages 90-93.
84. ibid. page 92.
85. Zwingli's 'Ordinance Touching Alms-Giving'. 1525. in Salter. op cit.

pages 100-101.

86. James Mill. Principles of Political Economy: With Some of their Applications to Social Philosophy. 1848, reproduced in Collected Works of James Mill Volumes II and III. Toronto. 1965.
87. Symons. Tactics for the Times. 1849. op cit. page 6-7.
88. See Baron De Gerando. The Visitor of the Poor: Designed to Aid with the Formation and Working of Provident and Other Kindred Societies. 1833. pages 141-142 passim. De Gerando was particularly critical of relief schemes which failed to supervise the morals of those poor they assisted. He attacked both the Old and New Poor Law and the Political Economists, especially Malthus, upon whose theories he believed they rested.
89. Symons. Tactics for the Times. 1849. pages 8-10.
90. Revd. J. Tuckerman. 'English Introduction'. to De Gerando's The Visitor of the Poor page xv.
91. Ibid. pages vii-viii. See also. D. Urquhart. Wealth or Want: Or, Taxation as Influencing Private Riches and Public Liberty. 1st Edition 1845. reprinted 1971. and U R Q Henriques. Before the Welfare State. 1979. pages 22-23.
92. R Q Gray. 'Bourgeois Hegemony in Victorian Britain'. in Class, Hegemony and Party. Lawrence and Wishart. 1977. See also. Bauman. 1983. Harris. 1972. Stedman-Jones. 1971. etc.
93. See Foucault. Discipline and Punish. 1977. C F Rahmueller. The National Charity Company: Jeremy Bentham's Silent Revolution. 1981 and R. Evans. The Fabrication of Virtue. 1982.
94. Rahmueller. 1981 op cit. pages 153-154.
95. Ibid. pages 159-160. see also Foucault. 1977. Evans. 1982.
96. See note 93. and also. P O'Brien. The Promise of Punishment. 1982. D. Rothman. The Discovery of the Asylum. 1974. and C J Taylor. 'The Penitentiary and Moral Architecture'. Histoire Sociale/Social History Vol. 12. No. 24. 1979. As Crowther. The Workhouse System. 1981. pages 65-66. 114-134. Rahmueller 1981. page 59 passim, and Williams. 1981. have described. the same 'failure to cure' was a characteristic feature of the workhouse.
97. Crowther. 1981 op cit. see also M. Berg. The Machinery Question and the Making of Political Economy: 1780-1848. 1980. pages 259-260.
98. Rahmueller. 1981 op cit. page 47. Crowther. 1981 op cit. pages 41-42. 87 and Henriques 1979 op cit. pages 48-52.
99. F F Piven and R A Cloward. Regulating the Poor. 1972. pages 33-34.

- Melossi and Pavarini. The Prison and the Factory. 1981. page 37. See also the earlier discussion of the concern of the social investigators and statisticians about the 'moral condition' of the working class. As Corrigan 1975. State Formation and Moral Regulation op cit has pointed out a good part of the early 'social administration' of the first 'state servants' was concerned with 'moral regulation'.
100. Symons. Tactics for the Times. 1849. page 9.
 101. Rahmueller. 1981 op cit pages 186-194. I J Hume. Bentham and Bureaucracy. 1981. pages 4-6. 102-9. 135-64. 198-208. 225-226. 251-7. See also. Stedman-Jones. 1971. pages 313-4. Parry et al. 1979. page 32. N. Rose. 'The Psychological Complex: Mental Measurement and Social Administration.' Ideology and Consciousness. No. 5. 1979 and K. Williams. 1981 op cit pages 61. 68-81.
 102. C S Loch. Charity and Social Life. 1910. page 462.
 103. *Ibid.* pages 378-379.
 104. W. Davis. Hints to Philanthropists, or, a Collective View of Practical Means for Improving the Condition of the Poor and Labouring Classes of Society. 1st edition. 1821. reprinted 1971.
 105. C S Loch. Charity and Social Life. 1910. pages 463-465.
 106. U M Cormack. 'Developments in Casework'. 1945 op cit. page 89.
 107. A. Digby. Pauper Palaces. Routledge. 1978.
 108. Revd. Tuckerman. 'English Introduction' to The Visitor of the Poor page iv.
 109. *Ibid.*
 110. *Ibid.* pages x-xi.
 111. It is fairly clear that the remarks made by the English editor and translator of The Visitor of the Poor were aimed at the Benthamite Poor Law reformers and political economists - Chadwick and the Poor Law Commissioners in particular. See De Gerando. The Visitor of the Poor . pages 120-122.
 112. Revd. Tuckerman. 'Introduction'. The Visitor of the Poor. pages 1-2.
 113. Green. Knowing the Poor. 1983. page 45.
 114. Young and Ashton. British Social Work in the 19th Century. 1956. page 50.
 115. See for example. Fraser. The New Poor Law in the 19th Century. 1976. Digby. Pauper Palaces. 1978 and Brundage. The Making of the New Poor Law. 1980 op cit.
 116. Young and Ashton. 1956 op cit. pages 50. 67-80. and Thane 1982.

pages 33-35.

117. Williams 1981 op cit. and Green, Knowing the Poor, 1983.
118. Williams 1981 op cit. page 113.
119. Following the phase of Institutionalisation in the early 19th century, a huge labour of classification took place. This was especially true in the prisons (see Evans, 1982 for example) but also true of the new breed of workhouses. For instance, Williams identifies 7 classes of pauper for whom separate confinement was considered necessary by the Poor Law authorities, a figure which became the accepted 'norm' after the circulation, in 1847, of the Order on Government of the Workhouse. In many areas, however, the classification was seldom so precise. The classification suggested by the authorities was, in any event, crude and very largely dependant upon moral and administrative grounds. See Williams, From Pauperism to Poverty, 1981, pages 107-128.
120. R. Mishra, A History of the Poor Law Relieving Officer: 1834-1948, 1969. S. McConville, A History of English Prison Administration, 1981, and Woodruffe, From Charity to Social Work, 1960.
121. Baron De Gerando, The Visitor of the Poor: Designed to Aid with the Formation and Working of Provident and Other Kindred Societies, Simpkin and Marshall, London, 1833.
122. R. Kirkman-Gray, A History of English Philanthropy, London, 1905, page 259.
123. De Gerando, The Visitor of the Poor, page 38.
124. The Visitor of the Poor, page 41.
125. The Visitor of the Poor, page 42.
126. Ibid.
127. Ibid.
128. The Visitor of the Poor, page 43.
129. The Visitor of the Poor, page 44.
130. Ibid.
131. The Visitor of the Poor, pages 44-45.
132. Throughout the second half of the 19th century, the eugenics movements seemed to be working towards just such 'biological science' of the poor whilst, from another standpoint, the National Association for the Promotion of Social Science and the Statistical Societies were working towards a similar, more explicitly moral, science of the poor (see D. Ritt, The National Association for the Promotion of Social Science, Phd Thesis, 1959). In 1904-1906, the Inter-Departmental Committee on Physical Deterioration, an early fore-runner of the

'national efficiency movement', made a similar plea for a more scientific understanding of the 'condition' of the poor (the 'residuum'), and in the 1930's Blacker's work on The Social Problem Group, 1936, went some way towards supplying some of the moral, biological, psychological - in short, socio-pathological - components of the science of the poor.

133. The Visitor of the Poor, page 45.
134. The Visitor of the Poor, page 46.
135. The Visitor of the Poor, page 47.
136. The Visitor of the Poor, page 55.
137. The Visitor of the Poor, page 47.
138. The Visitor of the Poor, page 48.
139. *Ibid.*
140. The Visitor of the Poor, page 49. It is highly significant that the philanthropists should have discovered the 'soul' in much the same way as the penal reformers had done so. Foucault, Discipline and Punish, 1977, and Ignatieff, A Just Measure of Pain, 1978, both point out how the penal reformers discovered, in the soul, the prison of the body, and sought to modify the soul as the means to amending behaviour. Philanthropists likewise found in the soul, the 'inner-man', not, perhaps, the prison of the body, but at least its task-master of the body's wants.
141. The Visitor of the Poor, page 49. De Gerando was not alone in employing the metaphor of 'raising the dead' to describe the revitalisation of the idle, malingering and poor.
142. The Visitor of the Poor, page 49.
143. The Visitor of the Poor, page 50.
144. This is likely to have been a truly momentous task given the difficulties of upward mobility for the poor man in 19th century Britain. Thus once a family (a 'case') joined the charitable societies' files it would tend to remain there. Thereby giving rise to family histories of pauperism and vice all collected in the registers of charities (and playing directly into the hands of the anthropological school).
145. The Visitor of the Poor, pages 50-51.
146. See for example, G. Canquillhem, On the Normal and the Pathological, reprinted, 1980 edition, pages 145-153.
147. The Visitor of the Poor, page 51.
148. *Ibid.* see also pages 132-133 regarding the "checking upon beggars".

149. The Visitor of the Poor. page 52. The investigators were not encouraged to rely too heavily upon the testimony of the neighbours of the poor because it was thought likely that the neighbours would be almost as degraded as the poor themselves, and just as susceptible to lie.
150. The Visitor of the Poor. pages 107-108.
151. Young and Ashton. 1956 op cit. pages 75-78. See also T. Chalmers. On Charity. 1910. and Chalmers. On Poverty. 1912. pages 213-220. This was indeed a form of charitable relief that the Benthamite's were very critical of. a system of relief which taxed the rich, the entrepreneur and the industrialist in time and patience more than it taxed the poor, was no efficient system of poor-relief. See Poor Law Report. Checklands edited edition. 1974. pages 180-182.
152. The Visitor of the Poor. page 109.
153. It is interesting to speculate on the antecedents of this vision of charity and philanthropy. For whilst both served as the 'police' of the poor, and the means of disciplining the applicant for relief, philanthropy also contained a strong tradition as the 'duty' of the bourgeois. Even Samuel Smiles who wrote the bible of Victorian individualism. Self-Help. 1850, complemented it with a companion volume on Duty. (1860).
154. The Visitor of the Poor. pages 99-101.
155. The Visitor of the Poor. pages 101-102.
156. The Visitor of the Poor. page 150.
157. The Visitor of the Poor. pages 139-140.
158. The Visitor of the Poor. page 102.
159. The Visitor of the Poor. page 153.
160. The Visitor of the Poor. page 102.
161. These institutions were those with which we have become increasingly familiar within histories of the 19th century: the prison (above all), the workhouse, the factory, the schoolroom, the asylum and hospital. See Jones and Williamson's discussion of the diffusion of moral ideas through institutions in the attempt to pacify the 'dangerous and criminal classes'. 'The Birth of the Schoolroom'. In Ideology and Consciousness. No. 6. 1979.
162. The Visitor of the Poor. pages 102-103.
163. The Visitor of the Poor. page 80. In a similar vein S. Marcus has elaborated the relations between morality and the soul, bad political economy, and the roots of all vice. An equally vitriolic language of

human sexual vices is described in Marcus' work, The Other Victorians, 1964, as appears in the work of the early 19th century philanthropic moralists.

164. The Visitor of the Poor, page 93.
165. The Visitor of the Poor, pages 128, 150-151.

CHAPTER 4

THE DISCIPLINE OF SOCIAL POLICY (PART II)

THE POOR LAW AND PHILANTHROPY

"It has never been deemed expedient that the provision should extend to the relief of poverty; that is, the state of one who, in order to obtain a mere subsistence, is forced to have recourse to labour." Poor Law Commission Report, (1834) Checkland's edition, page 334.

"By means of the workhouse test alone can real destitution be discovered, and fraud, imposition and lying be defeated."

W. Chance, The Better Administration of the Poor Laws London, 1895.

"The unemployed were to be divided into 'careful and thrifty men'; 'men of differing grades of respectability with a decent home'; and 'the idle loafing class of those brought low by drink and vice.' The latter were referred to the Poor Law, and suitable cases in the first two classes were helped by the payment of benefit club arrears, by the redemption of clothes from pawn, by 'private influence' and by 'careful advertising in suitable papers'." J. Harris, Unemployment and Politics, Oxford University Press, 1972, page 106.

INTRODUCTION: FORMING OPINION ON THE POOR AND RELIEF PRACTICE

The feature many contemporaries complained was lacking within the Poor Law, formed the very heart of the philanthropic strategy for dealing with pauperism. While the Poor Law offered, essentially, a blind confinement of the problem of pauperism within the repressive environment of the workhouse, philanthropy (later the all-out strategy of the Charity Organisation Society) sought to humanise the discipline of industrial society through the promotion of knowledge, the enhancement of capacities within the working class and the improvement of morals. Moral reform was, of course, always a particularly strong element of charitable, and later social, work. This is partly revealed by the traditional importance of education within the social work profession, for, as Jones has remarked, "social work education is no mere appendage of the social work profession and in many ways it could be considered as one of its centres". [1] Moreover, it is equally clear that, in the early 19th century and with the development and proliferation of charitable and visiting societies, during the formative years of modern philanthropic discourse, then knowledge, moral imperatives and education, assumed an especial significance.

Knowledge of the poor was a vital component of philanthropy for it both contributed to and helped refine the classificatory principles which dictated the pattern of relief administration. As has been suggested, this was always a particularly pragmatic knowledge, closely tied to the administrative process, seldom questioning its administrative categories and perpetually reinforcing the original moral divisions upon which its system of classification was based. In 1883, although Loch was to argue that the C.O.S. should drop all reference to 'deserving' or 'undeserving' cases in its manuals of relief and assistance and concentrate, instead, upon those cases which were 'helpable', in practice this implied very little change in approach. [2] While the new terminology is interesting, it can hardly be said to announce a new departure, or new moral preoccupations, in relief practice - for precisely those cases which were deemed helpable were considered to be so because of the moral virtue

displayed by the applicants. Thus 'helpability' was little more than a further confirmation of the irretrievable demoralisation of the pauperised, henceforth it was only possible to reform those who displayed the correct moral attitude.

Knowledge and education were considered important in two further senses, besides the way in which they registered the progress of the 'science' of philanthropy. In the first case, knowledge and education were considered a crucial component in the task of reforming and remoralising the poor. 'Helpable' cases of distress were to be taught the principles of political economy, instructed in methods of budgeting, given advice and assistance in the learning or pursuit of new trades and schooled in the elements of christian morality. In the second place, knowledge and education were of central importance in the recruitment and training of philanthropists, the foundation of a body of theory and a range of techniques for intervening in the lives of the poor. Knowledge, in this sense, was the core of the developing discipline of philanthropy and the early form taken by social work as a professional practice, a science which, like medicine, had its own code of ethics, techniques and claims to authority. [3]

There exist several authoritative accounts of the origins and development of social work in the 19th century, the rise of the C.O.S. and the refinement of the techniques of casework as the professional discipline of social work developed. [4] The objective here, however, is not to attempt to rewrite this history but, rather, to concentrate upon social work's refinement of disciplinary techniques for visiting and investigating the poor and upon the emergence of a new science of social administration in the cross-fertilisation of methods and tactics of pauper remoralisation and control between the Poor Law and the philanthropic organisations.

Once again, it is necessary to emphasise the central significance of knowledge and classification in the emerging science of pauper relief administration and remoralisation. The whole apparatus of investigation, assistance and supervision, rested upon the creation of social divisions, the mobilisation of discrimination, the enhancement of difference and, subsequently, the

differential exercise of relief practices according to these prior classifications.

DISABUSING THE POOR

The working classes were to be informed of their true place in society: 'It is high time to disabuse them of the disastrous fallacy involved in the word Poor', wrote one witness in evidence to the Poor Law Commission in 1833. The working class 'were to be reminded that the poor man is not a pauper'. [5]

Within the complicated investigatory and classificatory exercises of the relief agencies, a number of major preoccupations revealed themselves. Visible adherence to standards of morality was a necessary accompaniment to relief giving based, as it was, upon the assessment of character. Similarly, labour, or the requirement that all those able-bodied pursue employments, also served as a necessary condition of assistance. These are the familiar, because frequently re-iterated, aspects of relief practice, they tend to be important both in theory and in practice.

However, there remains another, perhaps even more familiar, aspect of philanthropy and relief (although one that all too often goes unremarked in studies of relief administration), a feature which seems to make up a great deal of the substance of day to day relief administration. The centrality of this 'question' within relief practices reveals a good deal about the operationalisation of social divisions within, and the disciplinary orientation of, relief policy. This feature, perhaps the major preoccupation of the relief administrator, consisted of the prevention, detection, control and repression of all forms of 'fraud', 'imposture' and 'abuse' of relief funds.

A number of accounts of relief administration in the 19th century bear out the fact that 'abuse' figured as a central focus of concern. Gerando may have been amongst the first to outline the most basic principles and requirements of an integrated and 'modern' system of relief administration which prioritised the ideological objective of 'fraud' control but, subsequently, many others

emphasised this point. [6] C. F. Rogers, while testifying to the importance of organisation to prevent needless repetitive investigation and questioning on the part of several relief organisations, nonetheless lamented, around the turn of the century that, "charity failed to relieve distress; we were continually occupied in detecting fraud and imposture – an odious and heartbreaking task". [7]

N. and J. Parry have pointed out the C.O.S.'s arguments in favour of a single relieving agency, while justified upon administrative grounds was, in fact, equally intended "to prevent multiple approaches by the poor to charity, which were regarded as a major source of abuse". [8] In effect, the arguments in favour of a unitary relief administration came very close to suggesting that the essential reason for a co-ordination of relief administration was to prevent abuse, in short, that 'efficiency' meant less abuse. Such an opinion upon the need for proper administration is likely to have been endorsed by Canon Barnett who believed that, in general, "poor standards of investigation . . . lead to fraud and imposture". [9]

It is hardly original to acknowledge that fraud, abuse and imposture, have been enduring features of public welfare arrangements. The vigour with which contemporary governments, usually, although by no means exclusively, Conservative governments, have harried the poor and unemployed recipients of social security benefits is further testimony to this excessive, trans-historical preoccupation with the lives, habits and means of subsistence, of the poor. Here, however, it is not my intention to examine the reasons behind this centuries old suspicion of the poor for, whilst a number of attempts have been made to explain this preoccupation – often using analyses derived from the sociology of deviance [10] – the argument of this chapter consists of an attempt to show how the nature, form, content, sources and consequences of this suspicion have varied quite considerably. The following few pages seek to show the extent and pervasiveness of the preoccupation with 'fraud and abuse' around 1834 and, in particular, the mobilisation of such a concern in the Poor Law Commissioners' Report which prompted an intensification of the campaign against out-door relief. Yet, before looking in detail at the supposed abuses

of the existing organisation of poor relief. It is worth summarising briefly the particular significance of the preoccupation with 'fraud and abuse' in the early 19th century and at the time of the Poor Law Commissioners' Inquiry.

To understand the concern about the 'abuses' of the unreformed Poor Laws, we must recap on a few points made earlier. It has already been demonstrated that the transformation of class relations in the 19th century derived from the emergence of new, industrial capitalist, methods of production which necessitated, in turn, a new form of state. The new mode of production demanded an abundant supply of labour, labour which was collectivised, acquiescent and, when necessary, mobile. The labour force had to be accommodated to these new conditions of exploitation. The 'state apparatus' of the early 19th century was able to contribute in this process by reconstituting the formal conditions under which the labourer was required to work. Thus the state administration was exhorted to assist in securing the conditions under which the labourers gave freely of their labour at the behest of employers. Kay and Mott have amply summarised this process of change in their observation on the ways in which the state contributed to the creation of a 'wider law of labour'. Perhaps ahead of his time, J. C. Symons, in 1849, was addressing a similar question in his observation that:

We must have a central power as the *primum mobile* of all such [policies] ... there must be likewise a central fund. Hence the necessity of a national rate ... The state alone, can, may and ought to do it. [11]

The significance of the reform of the Poor Law in 1834 stems from the fact that, the 'wider law of labour' was formulated in terms of the Poor Law. Thus, the reform of the Poor Law was none other than the reorganisation, in the interests of capitalist industrialists, of the conditions under which labour exploitation and capital accumulation took place. From this point of view, the single-most important sentence of the whole Poor Law Report, the sentence in which the Commissioners outlined the major practical and ideological foundations of the entire reformed Poor Law system, can be identified as follows:

It has never been deemed expedient that the provision should extend to the relief of poverty; that is, the state of one who, in order to

obtain a mere subsistence, is forced to have recourse to labour. [12]

Predating Marx' own notion, developed in the 'Grundrisse', [13] that the condition of the working class in capitalist society was one of 'absolute poverty' in which workers were required to sell their only commodity, labour power, this formulation, by Senior and Chadwick on behalf of the membership of the Poor Law Commission, situates precisely the significance of the 'abuses' of the Poor Law. Fraud and 'abuse' in the system of poor relief was not merely an added expense for the local ratepayers, a crime against the parish, but, on the contrary, it was a threat to the entire capitalist organisation of production and the role of the state. If poverty could not be created, that is, if its existence were constantly alleviated by Parish funds which offered a source of subsistence other than by labour, then the calculated application of economic pressure which made possible the capitalist contract of employment (or, employment relationship) could not operate. The 'abuse' of outdoor relief which was widespread throughout the whole operation of the unreformed poor laws, was a major 'loophole' in the political and economic order of early 19th century Britain. This is the first level of significance of the preoccupation with 'fraud and abuse'.

The second level at which 'fraud and abuse' are significant derives from the substantial step taken towards a nationalisation of relief practice under the New Poor Law. While the assault of political economy during the 17th, 18th and early 19th centuries had sought to sweep away both the traditional 'rights' of the peasant upon the land and the pragmatic reciprocity of the landlord-tenant or employer-employee relationship, [14] the reform of the Poor Law did turn a highly variegated, essentially local and discretionary, series of pressures into a system that was, formally, national.

The Act of 1834 formally reintroduced a right, a right, however unpalatable, to relief within a workhouse. Thus the discipline and severity of the workhouse regime (discipline so as to instil habits of industry, severity to give meaning to the principle of less eligibility) and the preoccupation with 'fraud and abuse' were the means by which a formal right was, for all practical purposes,

substantially compromised and contradicted. The discipline, investigation and severity of the workhouse regime (the essence, as Crowther has suggested, of the reformed Poor Law) were united in pursuit of a single series of effects. The workhouse sought to carry over the disciplinary relations of the labour market into the field of relief and, to this end, the acceptance of relief was rendered oppressive and disciplinary. The objective of safeguarding against all forms of 'fraud and abuse' justified all such excessive policy measures. In effect, nullifying the formal right encapsulated in the Poor Law. This is the second level of significance of the discourse of 'fraud and abuse' within the reform of the Poor Laws.

The third level of significance of the discourse of 'abuse' is closely related to the above. This final aspect requires less theoretical development, yet it is important, for it helps us understand how the concern with 'fraud and abuse' served as the grounds upon which the petty, regulative and disciplinary workhouse regime could be justified. As Crowther shows,

The Commissioners devised elaborate rules for the punishment of paupers who committed workhouse offences, including being noisy or dirty, refusing to work, swearing, malingering, attempting to enter the quarters of another class of pauper, and disobedience. Punishments ranged from making the pauper wear special clothes to reducing his diet for 48 hours, but serious offenders had to be sent before a Justice of the Peace ... Other petty regulations resembled the prison system: silent mealtimes, and control over visitors and mail. [15]

As 'fraud and abuse' had been successfully portrayed as endemic within the Old Poor Law, and as the figure of the pauper had been characterised as a thoroughly disreputable, even criminal or dangerous type, it was possible to introduce further, quite unwarranted, depredations into the Poor Law: regulative discipline and forms of investigation, without these appearing as too excessive a means for his control. Philanthropy too, although already having available a comprehensive theory and practice of investigation could, quite legitimately, adopt further disciplinary and individualising procedures, drawing upon the Poor Law experience and prevailing ideological sentiments about the character and manners of the poor.

In this way the prevention and control of 'abuse' became the objective by which

any number of interventionary policy measures might be justified and, just as fraudulent practices had been identified throughout the relief system, so measures to counter such 'abuse' had to be just as prolific and wide ranging. At this point a certain self-fulfilling prophecy became activated, the more vociferous the argument that a particular practice was liable to 'abuse', the more the authorities would endeavour to discipline the individuals in receipt of that form of relief and, in turn, the more 'undeserving cases' or instances of malpractice they encountered. Again, this was all the more likely given the prohibitory climate of relief administration evident in many areas after 1834.

[16] Ultimately, the emphasis on abuse and the supposed moral dangers consequent on a relief of the poor without requirement of industry (idleness, sloth, drunkenness, immorality) legitimated the whole host of disciplinary policy measures which have become familiar components of the state's administration of the problems of pauperism and poverty.

Pauperism and poverty, as objects of a discourse, vital elements in an ideological preoccupation, became hedged on two sides. On the one side they became bordered by a system of generalised repression and disciplinary control by which it was hoped to deter. On the other side, however, they were defined by a promotional and preventative series of relations wherein the, limited but 'respectable', aspirations of the working class were cultivated and the means for achieving their partial satisfactions assured. These two complementary goals were to be secured through disciplinary systems of administration. [17]

It is, indeed, interesting to note how closely the principles of administration accord with the principles for the prevention and suppression of abuse. The relation is so strong that one might plausibly be led to the conclusion that 'abuse' control and sound administration were one and the same thing. [18] This is a conclusion given added weight by Fido's suggestion that,

The original aim [of the C.O.S.] was to act as an agency of referral, keeping a register of all cases relieved in the district and sending them to the appropriate charity, church or to the relieving officer. In this way overlapping of cases would be prevented, fraud and imposture would be detected, and relief would take place in an orderly, rational and principled manner. [19]

'Fraud and abuse', undoubtedly, was the obverse of sound relief administration for the 19th century philanthropist and, as Robinson shows, its effective combatting was considered an essential prerequisite of the establishment of really effective relief.

Of course, people must not be left to starve while inquiries are being made. Though the cases where matters are urgent are comparatively rare, and there is always time to pay a visit to the house ... The point about all that has been said about enquiry is the moral harm that is done if people are tempted to be untruthful. If it is once realised that falsehood will soon be detected, even if at first accepted, imposture will practically cease and the applicant for help will have gained his first requisite for cure, viz. straight-forwardness. By verification of all the statements, we secure the weeding out of the unfit, the establishment of mutual confidence, and the acquisition of full knowledge. [20]

For the 19th century philanthropist, therefore, full knowledge and the control of abuse went hand in hand in a correct system of relief administration – this was a far cry from the system of outdoor poor relief which so many of the contemporary commentators found so unsatisfactory. The essential solutions to these problems of pauperism and political order were seen to lie in firm principle, strict regulation, and a rigid adherence to administrative procedure – in these orientations, Chadwick and the Poor Law Commissioners betrayed their Benthamite origins.

Wherever the language of administration is uncertain, the principle of administration, as well as of legal construction, is to select the course which will aid the remedy; and with regard to the able-bodied, the remedy set forth in the statute is to make the indolent industrious ... [The pauper] must accept assistance on the terms, whatever they may be, which the common welfare requires. The bane of all pauper legislation has been the legislating for extreme cases. Every exception, every violation of the general rule to meet a real case of unusual hardship lets in a whole class of fraudulent cases by which that rule must in time be destroyed. [21]

It becomes clear that the alleged 'abuses' of the existing system of relief administration damage, not merely the moral character of the pauperised themselves, nor even the parish poor fund alone. Rather more seriously, these "abuses ... [defended] under the mask of benevolence endanger the 'common welfare'." – society. In its entirety. [22]

Whilst Williams is correct to have described the discipline of the workhouse

as repressive and, essentially, unproductive of knowledge, so the system of outdoor relief was, in being almost entirely discretionary, seen by many contemporaries as virtually indiscriminate. Before the 1834 Report, even before Malthus, the system of outdoor relief was considered as the source of a great deal of 'abuse'. After the publication of the 1834 Report, however, and the extensive campaigning and administrative efforts of the Poor Law Commissioners, it began to seem as if it was outdoor relief itself that constituted the 'abuse'. All manner of opinion confirmed this essential truth. Whether it took the form of explicit condemnations of the Old Poor Laws on grounds of bad political economy, as in Malthus, [23] or what Symons referred to as 'local caprice' (behind which a whole host of unsatisfactory conditions were manifest: embezzlement, lax discipline, incompetence, favouritism and imposture, "the abuses are perfectly well-known to those who are conversant with the subject, and this view would meet with assent by Guardians themselves" [24]), out-relief itself was made to appear as nothing less than a gross abuse of the ratepayers' money. Some of the most explicit statements of the latter sentiment – statements which recurred throughout the 19th century, culminating in the Outdoor Relief Orders of 1844 and 1852, the 'Goschen Minute' of 1869 and the process of tightening-up in relief practice during the 1870's, [25] appeared in the 1834 Poor Law Report itself.

THE POOR LAW REPORT

Following a chapter on the progress of the Poor Laws up until the 43rd Elizabeth, a history of Acts whose principle focus lay upon the question of vagrancy and its repression and whose operation cannot be adequately described unless as a catalogue of brutalities, [26] chapter 2 of the Poor Law report began quite unashamedly,

The great source of abuse is the outdoor relief afforded to the able-bodied on their own account ... The fund which the 43rd Elizabeth directed to be employed in setting to work children and persons capable of labour but having no dally trade, and in the necessary relief of the impotent, is applied to purposes opposed to the letter, and still more to the spirit of that law, and destructive to the morals of the most numerous class, and to the welfare of all. [27]

The Commissioners substantiated their comment with observations from the reports and submissions of the Assistant Commissioners who conducted the Poor Law Commission's survey. Elsewhere in the Report the Poor Law Commissioners are highly critical of the competence of the Poor Law District officers, in general, accusing them of incompetence and even gross dereliction of duty. [28] However, when it came to their evidence of maladministration and of the widespread 'abuses', the Poor Law Commissioners appear to have taken the Overseers' and District Relieving Officers' reports entirely unquestioningly and on trust. Indeed, comments from such functionaries are diligently recorded throughout the Report and an accompanying volume of 'Evidence'. [29] "There can be no doubt," the Checklands remark, "that the Commissioners in their fact gathering were looking for bad practice rather than good." [30] Or, as Mark Blaug wrote in 1963,

The Poor Law Commission of 1834 ... deliberately selected the facts so as to impeach the existing administration on predetermined lines ... what little evidence they did present consisted of little more than picturesque anecdotes of maladministration. [31]

As if impervious to questions of representativeness or bias, the Poor Law Commissioner's report cited more and more evidence to demonstrate the damage caused by outdoor relief.

The practice of giving relief by payment of rent is found to prevail in a greater or lesser degree throughout the West Riding, though the opinion is gaining ground that it is a mode of relief mischievous in its effects and liable to great abuse.

On the same subject, relief payments by way of rent, another Assistant Commissioner reported, "The chief applicants are those who have large families, or persons of idle and dissolute character." [32]

Turning to those forms of relief paid directly in cash form, the Commissioners cited evidence of an even greater abuse. In Gloucestershire a scheme of relieving young able-bodied men without

the trouble of finding them employment - upon the condition that the application would not be immediately repeated ... had completely failed, as the men soon returned and they (the overseers) were again

compelled to relieve them ... the result proves a bounty upon idleness and crime, and is, in the end, not less expensive. [33]

Having reviewed a good deal of such 'evidence' layed before them and, prompted by the observations of an Assistant Commissioner in Darlington on the assumed preponderance of abuses in the South of England, the Commissioners were led to remark, "the abuses of the South are, however, still more striking", citing a case in which paupers had been able to secure relief following the intervention of a magistrate and their own threats of violence. [34]

While the Poor Law Report did make an occasional reference to sound relief practices (for example, a village was described as, "the only parish I heard of entirely free from the abuses of relieving the able-bodied in the employ of individuals. It is there considered contrary to law, justice and humanity." [35]), such cases are by far the exception than the rule within the body of the Report. The catalogue of abuses continued. The report of the Assistant Commissioner for the parish of St. George, Southwood, was cited.

The most injurious portion of the Poor Law system is the outdoor relief ... In such a parish as ours, where we administer relief to upwards of 2,000 poor, it is utterly impossible to prevent considerable fraud, whatever vigilance is exercised.

Has the utmost vigilance been tried? [ask the Commissioners]

One man to every twenty would be required to watch the paupers living out of the parish, and one man to every hundred living in the parish; which is an expense of inspection which could not be borne ... unless you have a considerable number of men to watch every pauper, every day, you are sure to be cheated. [36]

Yet a ratio of one investigator or assistant overseer to a hundred, or even as few as twenty, paupers, sounds positively ideal when compared with other evidence which Chadwick drew upon in his report to the Commission.

The outdoor relief in the City of London would require almost one man to look after every half dozen able-bodied men, and then he would only succeed imperfectly in preventing fraud. They cheat us on all sides ... with respect to the outdoor relief, there must, from the very nature of it, be an immense amount of fraud. There is no industry, no inspection, no human skill which will prevent gross imposition belonging to this mode of relief. [37]

Surveying a good deal of such similar evidence, the Commissioners drew to a conclusion which, not only confirmed the difficulty associated with policing such a system of out-relief but, went even further to infer its practical impossibility (even though the 'prevalling evidence' did not exactly support such a conclusion). The fraudulence and immanent corruptibility of the pauperised working class rendered the task of supervision almost superfluous.

From the prevalling evidence it will be seen how zealous must be the agency, and how intense the vigilance, to prevent fraudulent claims crowding in under such a system of relief. But it would require still greater vigilance to prevent the bona fide claimants degenerating into imposters; and it is an aphorism amongst the active parish officers that 'cases which are good today are bad tomorrow, unless they are incessantly watched.' A person obtains relief on the ground of sickness; when he has become capable of returning to work, he is tempted by the enjoyment of subsistence without labour, to conceal his convalescence, and fraudulently extend the period of relief ... The permanent officers appointed to make inquiries at the residences of the outdoor paupers frankly acknowledge, that it is beyond the powers of any individuals to prevent an immense amount of fraud. [38]

Later in the Report, in a section especially devoted to the assessment of the effects of the system of relief upon society, considered as a whole, the depiction of the catalogue of 'abuses' commenced once again. Considering the impact of poor relief upon the relationship of master and servant (their 'mutual regard' for one another) the Commissioners decried the way that the supposed 'abuses' of poor relief had destabilised that relationship so crucial to the traditional peace and prosperity of the nation. (Of course, nowhere was any consideration given to the far more likely conclusion that the destabilisation of relations between rich and poor, employer and employee, and the increasing demands placed upon the parochial systems of administration and relief, were the result of changes considerably more far-reaching than the Poor Law Commission was prepared to admit, changes rooted within the emerging system of capitalist industrial production and the associated transformation of the political economy of class relations. [39])

Thus, in the Reports from the regional Assistant Commissioners that the Poor Law Report was to flatter with the title of evidence, could be found the testimonies of employers who lamented the passing of an age in which

labourers could actually be relied upon and the emergence of a time in which labourers were, "much degenerated . . . generally disaffected to their employers; they work unwillingly and wastefully." And all this the result of an over-indulgent relief system. According to the Poor Law Commission, labourers were,

Constantly changing their services. Relying on parish support, they are indifferent whether they oblige or disobey their masters, are less honest or industrious . . . The system of allowances is most mischievous and ruinous, and till it is abandoned the spirit of industry can never be revived. Allowance men will not work. It makes them idle, lazy, fraudulent and worthless, and depresses the wages of free labour. [40]

Occasionally examples can be found of masters colluding with their men so as to defraud the parish relief fund and it is often noted that the acquisition of "settlement by marriage seems to be a fertile source of fraud". [41] Yet the fullest and most vehement outrage of the inspectors and Commissioners alike was reserved for the detrimental effects of the system of poor relief upon those persons actually relieved by it. The corrosive effects of poor relief on the moral character and habits of industry were fully spelled out. This erosion of virtue commenced with the fostering of a grievance in the mind of "an honest labourer" against the parish system which, in subsidising other pauper labour undermined his own trade and impoverishes him. "Can we wonder," ask the Poor Law Commissioners,

If the labourer abandons virtues of which this is the reward? If he gives up the economy in return for which he has been proscribed, the diligence for which he has been condemned to involuntary idleness, and the prudence . . . which diminishes his means just as much as it diminishes his wants? Can we wonder if, smarting under these oppressions, he considers the law and all who administer the law as his enemies, the fair objects of fraud or violence? Can we wonder if, to increase his income, and to revenge himself on the parish, he marries and thus helps to increase the local overpopulation which is gradually eating away the fund out of which he and all other labourers of the parish are to be maintained? [42]

But from these simple sentiments of frustration and revenge, the process of moral corruption set in, the pauper became an accomplice to his own degradation, the severest sufferers being those who, of necessity, became "callous to their own degradation" and, in general, it becomes increasingly

clear that "the person most injured is the person whose principles have been corrupted."

The constant war the pauper has to wage with all who employ or pay him, is destructive of his exertions, he loses all that sweetens labour, its association with reward, and gets through his work, such as it is, with the reluctance of a slave. His pay, earned by importunity or fraud, or even violence, is not husbanded with the carefulness which would be given to the results of industry, but wasted in the intemperance to which his ample leisure invites him. [43]

On these apparently incontrovertible facts a host of witnesses complied with their own testimonies of the moral desolation the pauper; the condition of the pauper's home; the predilection of paupers for the beer-shop; the "dirty, nasty and indolent wives of paupers," and their neglected children. [44] The attitudes sustaining the testimonies might be summed up fairly neatly in the following accounts of assistant overseers.

Hundreds of instances came under my observation, in which ... the character and the habits of the labourer have, by this system, been completely changed. Industry falls, moral character is annihilated and the poor man of twenty years ago, who tried to earn his money and was thankful for it, is now converted into an insolent, discontented, surly, thriftless pauper, who talks of 'right and income', and will soon fight for these supposed rights of income unless some step is taken to arrest his progress to open violence. [45]

Bentham's problem of 'ultimate security' (the care of the political order of the future) rears itself once again for, as Chadwick's report, drawing upon evidence of a number of assistant overseers and vestry clerks, asserts,

The change that is made in the character and habits of the poor by once receiving parochial relief, is quite remarkable; they are demoralised ever afterwards. [46]

Many evils, therefore, derived from the supposed abuses - more explicitly, 'frauds' - of the pre-1834 Poor Law. With the introduction of the amended Poor Law system after 1834, such alleged 'abuses' did not simply go away but, given the new rigid framework of law, its firm ideological antecedents, and the existence of a centralised authority committed to the law's fullest national application, then the old ways, the 'abuses', seem to stand in a substantially sharper focus.

Undoubtedly, compared to De Gerando's extensive plan for a rehabilitative relief administration in which home visiting and a constant supervision were the major components, the administrative weaknesses in Poor Law fraud investigation and in the scrutiny of relief applications were quite crude and explicit in nature. Equally crude were some of the measures advocated by the Poor Law Commissioners to prevent fraud. Despite a large number of refinements in the investigative practices of the Poor Law Relieving Officers during the latter half of the 19th century, commentators still continued to find a great deal at fault with the systems of supervision, inspection and investigation under the Poor Law as compared with the rather more innovative, private and philanthropic, relief organisations. [47]

In criticising the Old Poor Law, the Poor Law Commissioners were aware that, without system, strict adherence to regulations and an extensive, costly, apparatus of investigation, then a rational and principled means of distinguishing 'deserving' from 'undeserving' cases would prove almost impossible. However, with a system of relief that was to be administered, had the Commissioners had their way, almost exclusively within the workhouse, then perhaps such a strict regime of investigation, surveillance or inspection was less necessary. Under the reformed Poor Law, it was the Commissioners' intention that little by way of financial relief be offered, thereby obviating the need for such a detailed scrutiny of applicants. If the 'less-eligible' condition of the workhouse, the meagre subsistence it offered, was to be the only form of relief supplied to the pauper, then little by way of surveillance or investigation was required, for only the informed personal calculation of the pauper himself could determine his entry into the workhouse.

However diligent an overseer, or an officer for inquiry may be, there are numerous cases which will baffle his utmost diligence and sagacity: the only test of those cases is making their condition more severe than that of the lowest class of labourers who obtain their livelihood by honest industry. [48]

In reiterating this principle as the foundation for the new relief system, the Poor Law Commissioners were not without precedent and supporting 'evidence'. The precedent came in the form of the relief system devised by Sir George Nicholls in Southwell, Nottinghamshire. Nicholls attributed the ethos of his Southwell

system to the Revd. Robert Lowe who had pioneered the introduction of a workhouse in the Nottinghamshire parish of Bingham. Nicholls drew his experience of the Institution from Lowe's experiment, of which he wrote,

Knowing that it was impossible to refuse relief according to the custom and practice of the country, he devised a means for rendering relief itself so irksome and disagreeable that none would consent to receive it who could possibly do without it. [49]

It was, perhaps, not surprising that some parishes adopted similar policies to discourage relief applications – although by no means a majority of parishes actually went to the trouble of introducing a workhouse (until or, in some cases, long after they were statutorily required to do so). Nonetheless, the Poor Law Commissioners reported evidence from parish officers on the ways and means of preventing abuses.

It is the study of bad paupers to deceive you all they can, and as they study more their own cases than any inquirer can study the whole mass of different cases which he has to inquire into, they are sure to be successful in a great many instances. The only protection for the parish is to make the parish the hardest taskmaster and the worst paymaster that can be applied to. [50]

Subsequently, when the Poor Law Commissioners moved on to elaborate, in more detail the principles upon which their alternative scheme of relief might be based, they returned to the question of the supervision of applicants and methods of investigation.

Under the present system it is found that wherever relief is permitted to remain eligible to any except those who are absolutely destitute, the cumbrous and expensive barriers of investigations and appeals erected to protect the rates serve only as partial impediments ... the ingenuity and pressing interests of a multitude of paupers, each having his particular case or his particular means of fraud, are pitted against the limited means of detection and the feeble interests in the prevention of fraud of one of a few public officers. In the absence of fixed rules and tests that can be depended upon, the officers in large towns have often no alternative between indiscriminately granting or indiscriminately refusing relief. The means of distinguishing the really destitute from the crowd of indolent imposters being practically wanting, they are driven to admit or reject the able-bodied in classes. [51]

Time and time again, it seems, such arbitrary decision-making resulted in the fostering of grievances amongst those denied relief as well as the refusal of

genuine cases. In consequence, many assistant overseers preferred to admit any number of undeserving or fraudulent claims rather than run the risk of disallowing a deserving case. [52] To the Poor Law Commission these deficiencies were but natural consequences of an outdated, idiosyncratic and wholly capricious scheme of relief. In its place they demanded system and order: "a system which, if well administered, must immediately reduce and enable a police to extirpate all mendicancy." [53] Yet, drawing upon the results of their investigations and, conscious of the principles which prompted their endeavour, the Poor Law Commissioners found it difficult to countenance a system in which any manner of judgement or discretion be permitted to confound the operation of sound principle.

If merit is to be the condition on which relief is to be given, if such a duty as that of rejecting the claims of the undeserving is to be performed, we see no possibility of finding an adequate number of officers whose character and decisions would obtain such confidence to remove the impression of the possible rejection of some deserving cases: we believe, indeed, that a closer investigation of the claims of the able-bodied paupers and a more extensive investigation of the claims of the undeserving would, for a considerable time, be accompanied by an increase of the popular opinion to which we have alluded, and consequently by an increase of the disposition to give to mendicants.

We see no remedy against this, in common with other existing evils, except the general application of the principle of relief which has been so extensively tried and found so efficient in the dispauperised parishes. When that principle has been introduced, the able-bodied claimant should be entitled to immediate relief on the terms prescribed, whatever he might happen to be; and he should be received without objection or inquiry; the fact of his compliance with the prescribed discipline constituting his title to a sufficient though simple diet. The question as to the locality or place of settlement, which should be charged with the expense of his maintenance, might be left for subsequent determination. [54]

And, as De Schweinitz has added, "having revealed the weaknesses of the existing system and having expressed doubt about any remedy through the use of an administrative personnel, the Report described the operation in certain parishes of a device that seemed to provide a solution to the problem. This device was the workhouse." [55]

The workhouse offered little by way of incentives. In return for a pauper's acceptance of its harsh regime it provided a sparse form of subsistence. The

relative pleasures and pains of the workhouse were left to the judgement of the pauper. This free, rational, calculating, (Benthamite) individual was to weigh up the respective satisfactions and privations of the workhouse and come to an informed decision (hence the need for public awareness of the new workhouse regimes). [56]

All surveillance, investigation and inspection were concentrated in this one act of reflection, by the pauper, of himself. All detection of weak applications, searching out of motives or discovery of alternative sources of income or relief, became the pauper's own burden. [57] Just as the philanthropic relief administrators had discovered that moral character was the key to remoralisation and rehabilitation, so character, the pauper's supposed assessment of his own character, was the crucial factor concealed within the operation of the workhouse test and the pauper's decision to enter the workhouse.

Thus, whilst both philanthropy and the Poor Law seemed to endorse an assessment of character as the heart of their respective strategies, each used character in a different way. For philanthropy, character was pliable, capable of re-education, the object upon which the relief administrator worked. For the Poor Law, the assessment of character hinged upon a division which, either confirmed that the poor labourer was capable of achieving sound habits of industry and securing an income and was therefore not a pauper at all or, showed that the individual was without such virtues, that his character was so depleted and destroyed that he could knowingly surrender himself to the final degradation of the workhouse. In short, for philanthropy, character was the object of remoralisation, for the Poor Law, it served more as the confirmation of vice. [58]

Although put to different uses, this common focus upon 'character' was to prove significant in the later years of the 19th century. Despite the 'contest', during the second half of the century, between the Poor Law and philanthropy over the most effective relief strategy, the fact that both forms of relief organisation hinged around alternative conceptions of 'character' implied that

some considerable cross-fertilisation of principles, methods and practices might take place. [59] This was particularly so, given the continuation, despite the very best endeavours of the Poor Law Commissioners, of a great deal of outdoor relief – at least until the 1870's. In analysing this cross-fertilisation of relief practices in the evolution and refinement of a disciplinary social policy aimed at dividing and suppressing the 'dangerous and criminal classes', it is now necessary to turn to the later history of Poor Law and philanthropy in order to explain the precise ways in which pauperism became thoroughly transformed from its representation of the pathology of a marginalised class to its new representation as a pathology of the individual. [60]

HISTORIOGRAPHY AND THE FAILURE OF POLICY

Despite the advocacy of the Poor Law Commissioners, the 1834 Poor Law did not sweep away outdoor relief. The 1834 Poor Law Act was compromised, to some extent, in principle and in practice. There can, according to Williams, "be no dispute that the formal power of the central authority was effectively restricted". [61] Williams takes issue with a number of authors (Fraser, Ashforth, Digby, Rose [62]), all representatives of mainstream English Historiography who, he believes, have tended to misconstrue the relief strategy pursued by the Poor Law Authorities after 1834.

For our own purposes, the implications of this debate are not too fundamental, in the sense that, both the representatives of traditional historiography and Williams point to the continued significance of outdoor relief after 1834. Yet the debate is interesting, all the same, for what it tells us about differing disciplinary strategies within Poor relief after 1834 and the lines of potential alliance which were opened up between the Poor Law and philanthropy.

Williams opens his argument with the claim that although, "many historians claim or assume that the recommendations of the 1834 Report included the abolition of outdoor relief ... this assumption is untrue because the strategy of

1834 was preoccupied with able-bodied males." [63] If we turn to the text of the 1834 Poor Law Amendment Act itself, it is particularly clear that sections XXVII and LII envisage a number of circumstances in which outdoor relief might be permissible. Section XVII is concerned with out-relief for 'aged and infirm' persons, whilst section LII stipulates,

Whereas a practice has obtained of giving relief to persons or their families who, at the time of applying for or receiving such relief, were wholly or partly in the employment of individuals, and the relief of the able-bodied and their families is in many places administered in modes productive of evil in other respects: And whereas difficulty may arise in case any immediate and universal remedy is attempted to be applied in the matters aforesaid; be it further enacted, that from and after the passing of this act it shall be lawful for the said Commissioners by such rules, orders or regulations as they may think fit, to declare to what extent and for what period the relief given to able-bodied persons or their families in any particular Parish or Union may be administered out of the workhouse of such Parish or Union, by payments in money, or with food or clothing in kind or partly in kind and partly in money. [64]

The same section also allowed for departures from the regulations of the Poor Law Commission, on condition that the Commission were informed of the changes and could authorise these. Similarly, 'cases of emergency' permitted exceptions to be made in accordance with the rules. [65]

Perhaps it is surprising to discover explicit allowances being made in the Poor Law Act and Orders, for it is generally held – especially by those historians at whom Williams has aimed his critique – that the strategy of the 1834 Poor Law was directed towards a total abolition of all forms of outdoor relief, and that the history of the Commission's activities can be read largely in terms of 'failure'. [66] Following the line taken by the Poor Law Commissioners, it can be argued that the 43rd Elizabeth, the consolidated foundation of the Poor Laws up until the late 18th century, had not permitted the development of systems of outdoor relief, and that it was these 'abuses' – in their entirety – that the Poor Law Commissioners wished to prevent. However, from an opposing point of view, it is equally clear that the 1834 Act legislated outdoor relief into the Poor Law system. Although, of course, it is necessary to qualify the impact of such legislative changes.

Outdoor relief was widespread before 1834 and, despite the Poor Law report and the campaigning and pressurising of the Commissioners, outdoor relief remained widespread after 1834, although, for whatever reasons, more prevalent in some areas than others. [67] To engage with these points is to enter the deep water in the debate between Williams and the traditional English Historiography. Thus, Fraser has claimed that, "variety was the essence of the New Poor Law as of the Old, and the full range of variety has only partly emerged." [68] In a similar vein, he continued.

In both urban and rural areas, the abolition of outdoor relief was at once impractical and inappropriate. However much magistrates, guardians and relieving officers might sympathise with the social theory underpinning the abolition of outdoor relief, the harsh necessities of their practical problems forced them to abandon metaphysics for pragmatism ... [The evidence] points unequivocally in one direction: the overwhelming majority of paupers, even able-bodied males, never saw the inside of the workhouse. [69]

Williams' attack upon this analysis seeks not to deny the continued existence of certain forms of outdoor relief before the 1870's, on the contrary, the continuation of a number of types of outdoor relief is central to his arguments regarding the changing strategies of the reformed Poor Law. Yet it is crucial to William's argument that the history of the Poor Law, during the middle years of the 19th century, cannot be read exclusively in terms of failure. Drawing upon the 1844 Outdoor Relief Prohibition Order and the 1852 Outdoor Relief Regulation Order, [70] Williams attempts to show that the strategy of the Poor Law during the 1840's to 1860's was not concerned with outdoor relief to the able-bodied in general, but specifically to able-bodied males - "those able bodied men who were unemployed, underemployed, or low paid." Yet, as Williams continues, in a large number of Unions, "able-bodied men could receive outdoor relief if they performed task work for the Guardians ... the strategy of the 1850's and 1860's admitted outdoor relief conditional upon a labour test as well as, or instead of, indoor relief and the workhouse test for able-bodied men." [71]

Thus, although both Williams and the representatives of conventional British historiography agree that substantial outdoor relief continued after 1834 (indeed, one can only understand the necessity for the 1844 and 1852 'Orders'

In this light [72]), their accounts differ in that historiography ascribes this result to the failure of central authority, the pressures of the local economy and a benign local humanism, whereas Williams argues that it testifies to the success of the Poor Law to isolate and control the particular problem, expressed in the 1834 Report, of unemployment-related relief and able-bodied men. On this point, however, Fraser and Ashforth's arguments differ markedly from those of Williams. As has been indicated earlier, the argument centres upon the question of relief to able bodied men.

Despite inconsistencies (for instance, Ashforth is at pains to emphasise the impact of "massive temporary unemployment" on poor relief in Northern Industrial areas yet subsequently cites statistics which, in accordance with those of Fraser, indicate that male adult able-bodied paupers were always a small minority of those on all forms of relief [73]), the debate between Williams and ~~the historians~~ seems locked in opposition. The former's claim that, by 1850, virtually all outdoor relief to able bodied men, had ceased, seems irreconcilable with Fraser's own argument, cited earlier, that, "the overwhelming majority of paupers, even able-bodied males, never saw the inside of the workhouse."

Posed in such terms it is difficult to see how we might proceed. Yet a number of vital factors must be recalled. To begin with, as we have seen, the objectives of the Poor Law Commissioners were to affect the conditions of subsistence of the working class in such a way as to hasten their routine acceptance of disciplined factory work under capitalist political economy. [74] Such an objective required, not the total cessation of outdoor relief to all able-bodied men outside a workhouse but, rather, only its substantial restriction as a standard and accepted component in labourers' incomes. In this, the strategy of 1834 can be said to have been broadly successful.

Secondly, although it is a central plank in Fraser's argument that the vast majority of able-bodied men received relief outside the workhouse, it is important to recognise that, in any event, men were always a minority of the recipients of poor relief. [75] that recipients of indoor relief were always in the

minority also and that, barring exceptional periods, the able-bodied were a minority of all those in receipt of relief. [76] It follows, therefore, that the absolute numbers of those able-bodied men on either indoor or outdoor relief, could have been very small indeed. Thus Fraser's point could be true at the same time as Williams', the Poor Law could have successfully helped ensure that only a small absolute number of able-bodied men (men who were, anyway, frequently classified in different ways) were in receipt of regular outdoor relief, even though a majority of those able-bodied men in receipt of any forms of relief were receiving it outside the workhouse.

Thirdly, as a number of writers have pointed out, the numbers of those able-bodied men are swollen by the allowance of forms of temporary or casual relief, relief in exceptional circumstances, or relief dependent upon a labour test. [77] All these means of relief were permitted in both the 1834 Act and the subsequent regulations and orders of the Commission or the Poor Law Board and could, quite commonly, be found operating in conjunction with a deterrent workhouse. [78]

The particular practices of individual Boards of Guardians or Poor Law Unions varied enormously from area to area and from time to time, but it is possible, nevertheless, to form conclusions about effective strategy within the Poor Law. Different applications of the classification of the 'deserving' and 'undeserving' poor were reflected in the different usages of the workhouse. Different policies within the framework of the Poor Law regulations before 1870, in respect of different groups for whom outdoor and indoor relief was available, tended to alter the character of the workhouse, but it is still fair to say that the workhouse – and associated techniques – were successful in subjugating the male able-bodied unemployed and, by extension, the entire working class, to a regime of unremitting discipline whether within the labour market or outside it. Thus the workhouse had an impact which reverberated throughout the whole of the working class for several generations.

As Williams has written, "by emphasising the large number of able-bodied persons on outdoor relief it is possible to produce a completely misleading

picture of central authority 'failure'." Whereas, "the small number of able-bodied men is the relevant measure of the success of the official strategy." [79] Yet this result, which Williams calls the 'success' of the post-1834 strategy, a strategy which must be freed from the conventional misinterpretations of English historiography, serves as a powerful testimony to the nature of the disciplinary imperatives at work within the Poor Law.

In some crude senses, the division between indoor and outdoor relief could be said to correspond with the division, which is so often thought to lie at the heart of 19th century relief policy, the division between 'deserving' and 'undeserving' poor. [80] yet, in fact, practice was never so straightforward. Outdoor relief was widespread, but the workhouse was attempting to straddle two fairly incompatible tasks.

Both of these tasks derive from settled and familiar institutional practices established long before 1834, practices which, in the clamour of historiographical debate around the Poor Law, tend to get forgotten. On the one hand, the workhouses were to discipline and control – even deter – the incorrigibles, vagrants and 'habitual idlers' (a role closely akin to the work of the 16th and 17th century institutions for the suppression of beggary [81]). On the other hand, the workhouse operated as an institution for the sick and disabled, and a refuge for the incompetent (at which point the workhouses take over from that institutional tradition of alms-houses, asylums, houses of industry and correction and charitable hospices which had comprised a large part of what Foucault has referred to as the 'Great Confinement' [82]). Indeed, as Crowther has shown, the workhouses, like other institutions,

degenerated into mere receptacles: they housed, but made little effort to treat or cure the socially deviant or helpless. Incurable, chronic cases filled the asylums; violent or habitual criminals the prisons. The poor houses, as in Britain, housed mainly the long-term helpless paupers. Even the most elaborate systems of discipline had little effect on this type of inmate. [83]

Yet, if the institutional tradition has changed so little in its actual contents despite the growing emphasis upon classification and the careful elaboration of disciplinary technique: if the discipline of the workhouse was, as Williams has

suggested, primarily blind and repressive and, finally; If the major impact of the workhouse was as a means of forcing the male able-bodied labourer to accept certain conditions of employment, then the limited direct experience of this group of persons of it would tend to suggest that the major effects of the workhouse were to be achieved as part of a system of ideological representation. All this would seem to suggest that the novelty and strategic significance of the post-1834 Poor Law lay, not in the development of disciplinary practices within the workhouse (although as components of a system of discipline in process of refinement, they were clearly very important), but in terms of the effects of a new system of discipline outside the workhouse, as reflected in the relations of the labour market and between the social classes.

Too much consideration of the post-1834 Poor Law has focussed exclusively upon the workhouse, yet the most vital effects of this instrument of discipline worked themselves out beyond its walls. Williams' discussion of the differing strategies of relief within the operation of the Poor Law between 1834 to 1870, in particular, his emphasis upon the able-bodied poor as the focus of concern, shows clearly that the significance of the Poor Law need not be read exclusively in terms of the single criterion of access to, or exclusion from, the workhouse, and that wider social questions were involved.

It is in this context, then, that the question of the organisation of outdoor relief – a disciplinary form of social intervention – becomes important. Outdoor relief was not important simply because the vast majority of 19th century paupers were in receipt of it. Rather, the significance of the strategy of 1834 lay in the framework it established for a nationalisation of relief practice to which an extensive series of disciplinary social interventions became attached. Most accounts of the development of Poor Law strategy seem to ignore this feature, concentrating instead upon decisions made concerning entry to the workhouse for particular classes of pauper. The net effect of such Poor Law historiography has been an uncritical acceptance of 19th century perceptions of the major problems of relief and Poor Law administration, leading to misunderstandings which obscure the crucial process of the refinement of

disciplinary interventions, by 'public authority', into the social relations of working class life.

Fixed upon a vision of 'deserving' or 'undeserving' paupers, conventional Poor Law historiography has tended to emphasise the repression of the 'undeserving': the idle, the vagrant, the vicious, the malingerer and the immoral. In short, the marginal groups, the minorities, [84] while remaining blissfully unconcerned with the effects of Poor Law discipline, generalisable as a 'wider law of labour', upon the social relations of the working class as a whole. While it is never true to say that the refinement of such disciplinary measures and their application to particular 'recalcitrant' classes of paupers is unimportant, the key question concerns the generalisation of these disciplinary techniques, their ramification throughout society and their multifarious applications in its future government. [85]

Through the strategy of 1834, therefore, the reorganisation of the conditions for the production of labour power was secured. However, through the continuation of outdoor relief, the state administration and public 'authority' gained a privileged access to working class life along with the ability to give an important new shape to working class social relations vis a vis the state and the economy. In future, the working class experience of the state would cease to be mediated exclusively by 'class' but would become increasingly individualised. [86] Only within these contexts can the widespread continuation of outdoor relief under the reformed Poor Law be fully appreciated.

Through the perpetuation of a flexible strategy of outdoor relief, dispensing both benefits and classifications, the statutory agencies (and, increasingly, the private charitable associations) could significantly alter the size of the surplus labour market. This not only conferred economic benefits (benefits which became more fully realisable in the 20th century with the nationalisation of criteria of economic performance), but also served as a useful instrument of the political order insofar as representations of those on relief could be used as a lever in the encouragement or chastisement of the independent or 'respectable' working class. Of course, such a utilisation of the relief rolls was

always hedged with investigative and stigmatising procedures. In order to give the state (and public authority in general) power to control access to the relief rolls and therefore render them manipulable in accordance with socio-political imperatives. In other words, if the statutory authorities were seeking to use the condition of the poor and the very extent of working class poverty as a form of disciplinary pressure on the independent working class in the labour market, then it had to be able to control this representation. It is, one would assume, out of the question to expect that the state would seek to impose massive discontinuities in the material well-being of groups of the poor and, in any event, the exercise of such massive fiscal authority was quite unnecessary if the manipulation of statistical categories could achieve the same result.

Nonetheless, the importance of the state's exclusive capacity to determine (within certain constraints) the size of these significant populations as a tool of public policy, helps explain the continued preoccupation, within the Poor Law system (and subsequently in the modern social security system), with forms of 'abuse' and the means for checking and controlling 'it'.

As they had criticised the unreformed Poor Law, contemporaries criticised the New Poor Law; for lax administration; for being a drain on the rates; for being a bounty upon idleness and for encouraging everything from fraud to crime to drunkenness. The criticisms came from all sides but particularly from those who, for some considerable time, had advocated a more sophisticated relief strategy as the core of the Poor Law. Namely, from the scientific philanthropists.

The attacks of such spokesmen, upon the alleged crudity of the Poor Law, upon the unscientific nature of the systems of investigation and classification within it and upon the sparse nature of the training of relieving officers, became more, not less virulent during the latter half of the century. Such features give us the final ways in which the continuation of outdoor relief under the reformed Poor Law was significant. For, in the complementary operations of Poor Law and philanthropy, we begin to see the important cross-fertilisation of methods, techniques and knowledges, between a private investigatory

scheme of poor relief and assistance and a nationalised system of class discipline organised through the state and the labour market. In the collaboration of these two traditions of relief practice, the system of administrative social discipline of the modern welfare state was in process of being formed. For instance, as Stedman-Jones has remarked,

imprisoned in its sternly individualist philosophy the C.O.S. was unable to participate in the creation of the Welfare State. But, on the other hand, by systematically investigating each individual applicant, the C.O.S. was a pioneer of 'casework' and thus laid the foundation of modern social administration. [87]

THE 'RISING TIDE' OF PAUPERISM AND THE 'CRISIS' OF RELIEF

The Poor Law continued to be criticised on a number of, both humanistic and economic, grounds. But, for our purposes, the criticism that the Poor Law system continued to 'manufacture' [88] rather than prevent pauperism and, that, in failing to reform the poor, had seemed, to philanthropists, to have learned nothing from the sophisticated techniques of investigation pioneered by themselves, is of prime importance. [89] The only functionary of the Poor Law whose role resembled, even remotely, those elements of 'sound philanthropy' spelled out by De Gerando in 1833, was the Relieving Officer. Yet, even so, in the early years of the reformed Poor Law, a great deal of this official's responsibility amounted to little more than a form of book-keeping. Although the Poor Law Board had issued regulations stipulating the duties of the Relieving Officer, such organisation tended to fall down in practice and was, in any event, a rather less rigorous form of administrative supervision than that advocated by philanthropy. Nonetheless, the Board determined that the Relieving Officer was,

to examine the circumstances of every case by visiting the house of the applicant ... and by making all necessary enquiries into the state of health, the ability to work, the conditions and family, and the means of such applicant, and to report the result of such inquiries in the prescribed form to the guardians ... and also to visit from time to time as requisite of all paupers receiving relief and to report concerning the same as the Guardians may direct. [91]

To assist him in these investigations, Boards of Guardians were required to furnish their officer with an 'Application and Report Book' in which all

Information relevant to each 'case' (each relief applicant) was to be entered. However, as William Chance remarked in 1895, "If this book is properly kept, the particulars it contains should be sufficient to enable a Board of Guardians to decide upon the right form of relief. But, as is well known, it often contains only the most meagre and insufficient information." [92]

The architects of the New Poor Law had been aware that a vigilant Relieving Officer was as important to the efficient running of the system of poor relief as a good governor was in a prison, and in case some parishes had not appreciated the equation, the Commissioners spelt it out for them: a good Relieving Officer could save the cost of his own employment, and a good deal more besides, by deterring frivolous or opportunist applications for relief. [93]

The perpetuation of a vast margin of outdoor relief after 1834 might suggest that the exercise of the Relieving Officer's responsibilities failed to have quite the deterrent effect that the Poor Law Commissioners had hoped. If Williams' reinterpretation is introduced, however, the substantial diminution in adult male able-bodied outdoor relief in general, would point to an opposite conclusion. Nevertheless, in view of the complex ways in which the strategy of 1834 was applied, it became possible for contemporaries to argue that the Poor Law was both too strict and severe and, on the other hand, insufficiently rigorous, certain or effective. In many respects, these latter criticisms tended to fall upon the Relieving Officer's head and, invariably, his ineffectual administration was held to be at the heart of the Poor Law's problems. While the Poor Law regulation orders of 1847 and 1852 did have the effect of redefining and tightening up certain aspects of the administrative responsibilities of the Relieving Officer, they did not go nearly far enough towards satisfying a good deal of contemporary opinion. Mishra and others, for instance, have pointed to the prevalence, in the 1860's, of the attitude that the Poor Law had already broken down, that the Relieving Officer's investigations were "practically worthless ... insofar as detection of fraud and imposture is concerned," and that this official had become rather more of a welfare officer than a deterrent figure. [94] Thus, from a number of quarters, a stricter administration was

demanded.

In the meantime, the Poor Law Board seems to have dealt fairly pragmatically with the problems of Poor Law discipline and ensuring the full investigation of relief applicants. Boards of Guardians were encouraged to appoint more Relieving Officers (on the understanding that they would be cost-effective) as well as to ensure that stricter routines of visiting were carried out. It seems, though, that the Poor Law Board was only moderately successful in these initiatives, for Boards of Guardians were usually very reluctant to increase their staff. [95]

The criticism continued. The Poor Law's only investigatory official, the Relieving Officer, was considered sadly lacking in "the principles of scientific charity". As explained earlier, given the background of the Poor Law, this is understandable, the Poor Law operated as a rather blunt instrument, its chief area of activity was not 'welfare', but questions of class discipline and the enhancement of relations of authority and hierarchy in the labour market. It was little part of the Relieving Officer's responsibility to ensure the welfare of each recipient (except, of course, in an entirely personal capacity, for the Relieving Officer was held personally responsible for the death, from want, of those he was duty-bound to assist), neither was he expected to 'rehabilitate'. The Relieving Officer was employed primarily to check eligibility and administer relief applications in the Poor Law system, the nub of the critics arguments centred upon the claim that he was failing to perform, even this fairly limited responsibility, satisfactorily.

As the decade of the 1870's drew closer and the 'crusade against outdoor relief' gathered momentum, marking, for Williams, the second major discontinuity in the history of the Poor Law, [96] attention came to focus rather more directly upon the weaknesses of administrative discipline within the Poor Law system. In the first Annual Report of the newly created Local Government Board, which assumed the functions of the old Poor Law Board in 1870, precisely this problem was addressed. The evidence appeared incontrovertible, it was suggested, relief was granted, "too readily and without sufficient inquiry

... and [also given] in numerous instances in which it would be more judicious to apply the workhouse test." [97] A circular, issued on December 2nd, 1871, confirmed the new policy. It insisted that, "measures should be taken, not only to check any further increase but to diminish the present amount." [98] This direction of policy was further endorsed in 1874 in the Local Government Board's 3rd Annual Report which advanced the maxim that, "Indoor relief shall be the rule and outdoor relief the exception". [99]

The situation which provoked the shift in Poor Law policy towards the end of the 1860's – that decade which Rose has referred to as having witnessed "the crisis of poor relief" [100] – assumed familiar proportions. All the dangerous and unpalatable signs of marginality, degeneration and vice, were made manifest once again as contemporaries sought for the words to describe adequately the grave social threat posed by this pauperised "enemy within". [101] Stedman-Jones cites the comments of Sir Charles Trevelyan, "the doyen of relief experts," whose assessment of the situation, nothing if not extreme, is fairly characteristic.

The rising tide of pauperism and crime threatens to overwhelm us ... We shall surely be left behind in the race, if we continue weighted with this growing pauper semi-criminal class ... The pauper class of this Metropolis ... are secured against starvation and need not even be driven to the workhouse or the casual ward ... the general result is a spreading decay of the spirit of independence among our metropolitan poor, and a demoralisation which threatens grave social consequences. [102]

The problem of the 'gap' in Classical Political Economy, and its translation into a 'blind-spot' in Poor Law strategy – already criticised by Symons – now pressed heavily upon the resources of philanthropist and policy maker. So neatly summarised by Trevelyan, the problem suggested a number of fairly clear remedies, remedies which are central to a reading of the articulation of disciplinary and investigatory practices within the history of social policy.

However, both Poor Law and private philanthropy were implicated in this 'crisis of poor relief' and both were deemed culpable. The work of the Relieving Officer may have been both crude in its application and somewhat lax in its scrutiny but there were many who would have favoured the Poor Law, with all

its faults, in preference to the activities of the 'Indiscriminate alms-giver'. [103]

The 'Indiscriminate alms-giver' seems to have been an especially vague 'folk-devil' of the 19th century middle classes. The character is never pinned down or identified too precisely but, on the whole, this persona appears to emerge from a host of factors typifying mid-19th century charity organisation. A combination of patchy, often inadequate coverage, unnecessary duplication and an immense variation in standards and procedures - particularly in the urban areas - created a situation in which, so it was alleged, the 'clever pauper' (another folk-devil) could exploit all manner of relief agencies with impunity. Although sophisticated schemes of poor-visiting had been proposed several times and many years earlier, few charitable organisations had the resources to mount the kind of relief schemes advocated by the architects of philanthropy. This was especially so in the later 1850's and 1860's as the number of relief applications continued to rise. The 'deformation of the gift' lamented by philanthropic theorists which was proving so disastrous in its supposedly demoralising effects upon all who received it, [104] led to a rash of attempts to restate, re-emphasise and clarify, the true principles of scientific charity.

The 1860's and early 1870's witnessed a great outpouring of books and articles by the new generation of scientific philanthropists pleading for direct involvement of the charitable in the distribution of relief, with aid being given only after a careful investigation of the circumstances of each case to determine the best means of restoring the applicant to independence. [105]

Although each in its own way different, such treatises hardly advanced the discipline and rigour and the practical techniques of poor-visiting beyond the schemes set out by De Gerando some 35 years earlier. The later writers aimed at the 'remoralisation' of the pauper but this was little more than a restatement of the 'betterment' prescribed by De Gerando. However, where the new texts on poor relief did surpass De Gerando's formulations was in the way that they allowed for a far greater accord between the private charities and the public relief authority - the Poor Law.

The future relationship envisaged between the two, public and private, layers of relief authority was never so straightforward as might be suggested by concepts such as 'integration' or 'alliance', but the forms of mutual co-operation entailed were sufficient to give a firm and practical content to the politically difficult relationship between public poor relief and philanthropy. It is fair to say that the process of cross-fertilisation of relief strategies which has been so significant in the formation of British social administration began to take on a very practical character at this point. The great leap forwards in the disciplinary organisation of social relations through forms of social policy can, therefore, be pinned down to the close of the 1860's.

The vast rise in poor relief expenditure and the continued criticism of the systems of investigation and supervision under the Poor Law, alongside a number of developments occurring within philanthropy itself as it strove to cope with the 'exceptional' burden of relief during this period, seemed to have reshaped the range of options available to those seeking solutions to the upward surge of pauperism while simultaneously demanding a reassertion of the principles of moral order. Similarly, the new, fairly ad hoc, sets of arrangements by which charities and the Poor Law cooperated seemed to crystallize around a number of ideological preoccupations. These 'features' were always important to the operation of the system of poor relief, but they assumed an especial significance after the middle decades of the century. [106] However, these enduring features of the English system of poor relief, [107] longstanding ideological and political themes concerning the proper administration of poor relief, still needed something more in the way of an official 'spark' to bring them to the fore. This 'spark' was delivered in 1869.

RELIEF AND REHABILITATION

Lord Goschen's 'Minute of the Poor Law Board' on 'Relief to the Poor in the Metropolis', [108] has attained a certain notoriety in English histories of poor relief for its attempt to demarcate parallel spheres of responsibility between

public relief authorities and private philanthropy. [109] More ominously, the '1869 Minute' has been described as having helped create the conditions for the intensification of the 'crusade' against outdoor relief. Throughout the 1860's Goschen, as President of the Poor Law Board, had been keen to promote the recruitment of more relieving officers and the stepping-up of the investigative side of Poor Law administration. At times the reasons for this expansion of Poor Law activities are very explicit, the authorities were attempting to maximise the exercise of deterrence through the Poor Law system. [110]

The contents of the '1869 Minute', however, were hardly original, even though the authorities had attempted to clarify matters of principle in the delivery of poor relief. For instance, the question as to, "how far it is possible to mark out the separate limits of the Poor Law and of charity respectively, and how it is possible to secure joint action between the two", [111] was little more than a précis of the questions and problems addressed by most contemporary reformers. Some headway had already been made in securing effective co-operation between the two forms of relief through ad hoc liaison arrangements between charitable officials and relieving officers and through what were known as techniques of 'cross-visiting'. [112] Such initiatives were further encouraged after 1870 and became far more widespread during the final decades of the 19th century. [113]

In the development of a disciplinary and interrogatory foundation for the state's management of poverty (through the Poor Law initially, but later beyond and through the techniques of social security), the parallel administrations of public and private relief became particularly important. This was especially so in the light of a number of significant developments which occurred around the same time as the appearance of Goschen's minute.

The Goschen Minute's emphasis on the need to restrict relief "only to the actually destitute" has led several commentators to remark that Goschen's strategy led to a new spate of repression of outdoor relief in an attempted return to the principles of 1834. [114] However, as will be shown, although the Goschen strategy was implicated in the crusade against outdoor relief, the

real substance of this crusade can be seen to have derived from elsewhere. Nonetheless, it is equally clear that the 'crusade against outdoor-relief', which gathered force in the 1870's, cannot simply be read off as a return to 1834.

Four years after Goschen's Initiative, a Poor Law Inspector, Henry Longley, submitted a report which appeared within the Local Government Board's third annual report for 1873-74. Longley took for granted the parallel systems of public and private relief and sought to encompass the latter in an effective and deterrent public relief system based upon an 'extended and intensified' workhouse system. He wrote,

It is, in fact, the general existence of charity which strengthens the hands of the Poor Law administrator in adherence to rule . . . If the poor are given to understand that outdoor relief is to be granted only as an indulgence to deserving cases, it may be possible, in time, and when a more complete organisation of charity shall have been effected, to relegate such cases as these to the care of charitable agencies. [116]

While Goschen had envisaged parallel operation of the Poor Law and philanthropy, Longley saw the latter as a rehabilitative supplement to a deterrent Poor Law. There was little new in Longley's desire to split the pauper 'class' into 'deserving and undeserving' groups but the ways that these groups were subsequently treated within their respective avenues of relief reflected a new articulation of the public and the private in matters of relief practice and a reorganisation of the means by which sanctions, rewards and incentives were distributed amongst the working class. If the dichotomy of welfare and control, much beloved of 20th century social administration, has its roots anywhere, then surely they lie here in the complementary but separate formulation of a system of treatment and rehabilitation (a tradition later endorsed by the Webbs' plans for the break-up of the Poor Law) and a system of discipline and punishment (the system of public relief, based upon the deterrent workhouse).

Longley claimed that the proper object of relief practice was to, "administer relief so as to offer the minimum of discouragement to the formulation by the poor of provident and independent habits," and he saw that this objective, "can

be fully reached only by that system of administration which is commonly known as the 'workhouse system'." [117] Just as charity was to assist the operation of the Poor Law by removing from it the expense of a large number of 'curable' and 'deserving' cases, so the Poor Law was to provide the base for the successful application of charitable principles and, in so doing, effectively confirm the selection of the supposedly 'deserving' cases. Goschen's vision of complementary administrations helped to focus the moral basis of division that was emerging as central to relief practice after the early 1870's. Similarly, the new parallel administrations helped to formalise, in ways which had not previously been possible, the regime of incentives and sanctions by which the disciplinary administration of the working class was effectively nationalised. As Stedman-Jones has suggested, from the point of view of the central authority, a combination of sentimentality and bad economic arguments had led to the demoralisation of the 1860's, whereas, "only a radical reduction of outdoor relief would restore the natural distinction between charity and the Poor Law. Charity could not fulfill its role as a personal relationship dependent upon acceptable behaviour unless the Poor Law was clearly seen as a penalty for moral and economic failure." [118]

According to Williams, the Longley strategy reflected a rather more subtle change of emphasis in the Poor Law than is accounted for by a simple return to a restrictive outdoor relief policy. If anything, Longley's strategy can be seen as an attempt to revivify the symbolic power of the workhouse and to refine the subtle calculation by which applicants for relief came to a decision to enter the workhouse. Longley's plan seems to have been directed towards educating the poor about political economy by educating them about the Poor Law. To this end, a vastly extended workhouse test was to be adopted, it being understood that indoor relief was to become the norm with the burden of proof lying with the applicant to show why he or she should be exempted from this rule. [119] Obviously, such a strategy required adequate workhouse accommodation and, "the maintenance in workhouses of a deterrent discipline," [120] in the hope that such an arrangement might force upon the pauper an acknowledgement of the desirability of attempting to rely upon his or her own resources rather than apply for relief.

Longley wished to take the uncertainty out of poor relief, to this end he proposed a series of published codes of rules detailing the situations in which certain forms of relief would be offered. [121] This initiative was supplemented by the issuing of instructions requiring relieving officers to attempt to increase the stigma of poor relief. This was to apply, not only to those forced into applying for admission to the workhouse, but especially to those in receipt of the existing forms of outdoor relief. Although, as it turned out, the precise form of the 'dispauperisation' strategy never took the shape that Longley had intended, the emphasis upon the imposition of stigma persisted. In 1878, the Annual Conference of Poor Law Officers included in its agenda the proposal that a pauper badge be designed for all those in receipt of outdoor relief to wear while, ten years later, the House of Lords Select Committee on Poor Relief reported the following dialogue between a Poor Law Inspector and a Metropolitan Relieving Officer:

Q: Do you observe any growth of feeling amongst respectable members of the working class that even outdoor relief is in a sense derogatory?

A: I do, that feeling has grown very much.

Q: You have endeavoured to foster that feeling in every way?

A: Yes. [122]

Thus, the overall effect of Longley's strategy was intended to be educational although this was clearly an education with a very particular end in view.

Relief practice before 1870 had relied upon very crude classifications of the poor, classifications which were, at any rate, subject to much variation. Nevertheless, it is fair to say that these classifications amounted to a rough knowledge of the poor which, in broad outline, dictated the shape of relief policy. The difference in 1874 is that Longley's proposals, set in the context of an increasingly scientific and classificatory scheme of poor relief and treatment organised through the Charity Organisation Society (C.O.S.) and an increasingly deterrent workhouse regime, emphasised the importance of this new educative strategy of poor relief because it fostered, as Williams has suggested, the establishment of a knowledge by the poor. In general, the rules that Longley wanted published,

were so strict that very few working class people would satisfy the

specified conditions and obtain out-relief. But the conditions were very different from direct prohibition since they gave the working class an opportunity to reflect upon the reasons why an application for out-relief would not be successful. Ideally the conditions would make the working classes reflect upon their own short-comings: their failure to practise thrift, their deficient sense of family obligations, their dirty and unsavoury homes. At the same time, the conditions of relief were an assurance that virtue would not go unrewarded ... the virtuous would be rewarded with an out-relief dole. [123]

Against this massive strategy of 'educative disempowerment' embodied in Longley's report, it might be assumed that those techniques of intervention contributing to a knowledge of the poor were rather overshadowed, but this is not really the case. From amongst those whose condition and opportunities were such that they were compelled to make an application to the public authorities, the virtuous still had to be sifted out. Consequently, recommendations were made for the improvement of both the visiting procedures of the relieving officers and of Poor Law administrative procedures as a whole. By and large, however, the Longley plan tended to conform to Goschen's Initiative and Investigation of the pauper in such a way as would produce a knowledge and aetiology of pauperism appropriate to administrative action, or detailed processes of classification or rehabilitation still did not become a major task of Poor Law activities. Either in despair, or by default, Longley did not want to see the Poor Law system undertake any more subtle or specific a disciplinary strategy.

It can scarcely be said that any system of inquiry, however minute or elaborate, can cope effectively with the fraud and concealment which are so strongly prompted by the supposed interests of the applicant. [124]

Assessments of character and classifications of paupers, therefore, remained the preserve of the charities who, presumably, would pass the 'undeserving' on to the Poor Law authorities. Perhaps it is fair to say that, neither philanthropy nor the state, were at this time particularly concerned with the causes of poverty and pauperism for, in many respects, these were held to be self-evident. [125] Authorities were only really concerned with the practical achievement of moralisation and dispauperisation which, under the Poor Law, meant the clampdown on outdoor relief - repression - and, under the charities, implied a form of moral rehabilitation.

Nevertheless, as Williams has shown,

The Longley strategy was never implemented. The educative ends of the crusade were never approached by exemplary 'strict' rules or relief decisions, and the apparent results of 'strictness' in a few unions were disappointing ... the crusade turned into a rather different kind of event. [126]

It would be wrong to say that Longley's proposals failed. In fact they never really had much of a chance. Neither the Poor Law Board nor the Local Government Board had a great deal of success in persuading the guardians, in all areas, to adopt strict regulations, on the contrary, for the Local Government Board, 'progress' tended to be made by the attachment of disciplinary and deterrent conditions to a still prevalent out-relief. Although a crusade against out-relief would have had significant 'knowledge-effects' in deterring paupers from applying to the Poor Law for relief (Indeed, in crude 'dispauperisation' terms the crusade was a major success - between 1871 and 1876, the total number of outdoor paupers fell by approximately one third and the number of indoor paupers by about 11 per cent) the scheme never actually operated on the basis of strict, published, relief regulations. Rather, the authorities pursued, "dispauperisation by any and every means". [127]

Thus, "the crude logic of practical dispauperisation" constituted the heart of relief policy under the Poor Law for almost 20 years from 1874. It relied heavily upon the expansion of charitable organisation during this period, but never assumed the precise character articulated by Longley. Insofar as thousands were driven off the Poor Law, the crusade was successful but, without the charities, it can hardly be said to have achieved its aims. The crusade dispauperised by a crudely orchestrated repressive deterrence, it attacked the living standards and condemned the lifestyles of the poorest at the same time as it stigmatised and confirmed the social ostracism of those who found it necessary to apply for relief, punishing a sizeable proportion of the latter with the disciplinary workhouse regime. Even so, outdoor relief continued, of necessity, to be widespread and in this respect the crusade failed. However, given the socio-political climate, the 'campaign' did provide the opportunity for enhancing the disciplinary and investigatory functions of the Poor Law officers as well as furthering the development of inter-agency links -

particularly between the Poor Law system, philanthropy (the C.O.S.) and the Police – in connection with the apprehension of vagrants and the prevention of fraudulent relief applications. [128]

Where Goschen had sought-after a way, "to bring the authorities administering the Poor Laws and those who administer charitable funds to as clear an understanding as possible." [129] – an administrative measure by which both fraud prevention and rehabilitative objectives were secured – the repressive drift of Poor Law practice after 1873 and Longley's strategy forced literally thousands into a series of relief relationships which comprised, at one pole, confinement in a deterrent workhouse and, at the other, the individualised casework approach of the C.O.S.

In accordance with the attempts, after 1870, to reimpose the workhouse test as a way of restricting the availability of outdoor relief then, for a period, the workhouse became a rather more repressive instrument. Yet it is necessary to insert a qualification here. For, whilst, on the one hand, the workhouse was reasserting the disciplinary organisation of the labour market in respect of the able-bodied poor (the unemployed, the under-employed and the vagrant [130]) it was, simultaneously developing a rather more classificatory regime, dividing the inmate population into more and more separate categories. These categories of inmate were then segregated within larger and larger Poor Law (or, increasingly, Local Authority) institutions within which, at first rather haltingly, forms of 'treatment' or 'rehabilitation' were attempted. [131]

The emphasis upon the emerging 'treatment-centred' approach within the Poor Law institutions which, even after 1870, were becoming little more than receptacles for the aged, infirm, feeble-minded and disabled, [132] has tended to lead commentators to misinterpret the later years of the workhouse as a general relaxation of discipline. On the contrary, the attempt here and in earlier chapters, to highlight the elements of discipline within the system of poor relief seems to suggest that such an interpretation is profoundly misleading. A policy of increasing discipline and deterrence occurred simultaneously with increasingly treatment-centred approaches for selected

groups of inmates. Yet having rejected the idea that the years after 1870 saw a generalised relaxation of the disciplinary deterrence of the workhouse, we must now face the question as to whether the emergence of forms of treatment within the workhouse (and within the casework practice of the C.O.S.) can, in any sense, be seen as a relaxation of discipline at all.

While it is clear that, in the decades after 1870, a number of the many petty and unnecessary restrictions and privations of workhouse life were removed, especially for those classes of inmates for whom the institution served primarily as a refuge, this is not to say that workhouse life became markedly more comfortable or attractive, far from it. [133] Yet we should not equate discipline entirely with the privileges or privations of workhouse life. (For example, the right to wear one's own clothes or smoke, or the requirement that all be out of bed by 6.30 in the morning.) Rather, discipline must be thought of as a system, in its entirety. There is a tendency within historical studies of the institution to identify the rigour of the regime itself, with its practical disciplinary effects. To a certain extent, both Crowther and Williams fall into this trap, seeing in the classified and segregated workhouse of the 1880's, a more congenial and less disciplinary institution than its forerunners of the 1840's and 1850's. While the later workhouse may well have been more congenial than its earlier counterparts (in any event, this is always a highly relative assessment) it does not follow that therefore it became less disciplinary, quite the opposite. Both Crowther and Williams seem to fail to acknowledge that classification is itself a form of discipline, a form of discipline which has produced a whole spectrum of different degrees of confinements in which inmates might be situated or moved depending upon their condition, character or behaviour. The systems of classification are a prelude to the technology of normalisation which became fully operative in the 20th century. It is as deviations from stipulated social norms within techniques of treatment or rehabilitation that these classifications derive their significance. Classification was classification out of, or away from, certain ideological standards of respectability, sociability and success whose ultimate reference was the prevailing social order and hierarchy, class discipline and the labour market. Crowther never makes these features of discipline explicit, even though her point of reference for workhouse

discipline seems very much to be society 'at large'.

The discipline which could be seen as far more humane than that of the eighteenth century poorhouses, was a carefully calculated method of subjection ... the souls of convicts and workhouse inmates were indeed to be saved, but the proof of salvation was to be seen in the reward to society. [134]

The development of rigorous systems of discipline (discipline, as a system distributing incentives as well as sanctions, rather than the simple pressure of subsistence) within society at large and guaranteed by a (primarily) statutory series of provisions, was to come later. In the process of extending this classificatory discipline to society as a whole the, essentially criminological, classifications of the poor in the 1840's and 1850's were finally replaced by socio-pathological assessments of the classes pioneered, to a large extent, by the Eugenics Movement, the C.O.S. and, later, Booth and the Webbs. [135] It is fair to say, therefore, that the workhouse remained a component of a grand system of discipline even though the empirical form of this discipline was gradually changing. The discipline must be understood in terms of its objectives and strategic implications, not in terms of its precise applications. Thus the discipline of the workhouse became the more effective as it became less brutal, the more unobtrusive, refined and systematic. However, it was not only within the workhouse that we find the pressure towards the disciplinary organisation of social relations on a society-wide basis. We have also to appreciate the disciplinary organisation of relief in respect of those the charities decided were deserving of their attention.

CHARITOLOGY AND CHARACTEROLOGY : TOWARDS THE PATHOLOGY OF THE POOR AND THE FORMATION OF NEW KNOWLEDGES.

Inquiry is the acquisition of such information as may make charity productive of good results. Two kinds of knowledge are required for the purpose: a knowledge of the social life of the class of which the person in distress is a member ... and a general knowledge of character - a discernment of the value of evidence, combined with a knowledge of the modes and possibilities of charitable assistance (for this purpose a well-educated and instructed almoner is a sine qua non). And to check the individual judgement, which is always necessary, there should be a committee, especially a committee containing members of all classes and having all kinds of influence and special knowledge... Charity is the work of the social physician.

It is the interest of the community that it should not be entrusted to novices or to dilettanti, or to quacks. [136]

De Gerando's pioneering manual for the visitor of the poor has already been discussed in some detail. It now remains only to develop that account of the organisation of social discipline through individual casework and attempts at social rehabilitation.

As argued earlier, charitable casework was organised around social promotion and the deployment of specific incentives. These were not the incentives to fraud and idleness that were thought likely if the poor were to be allowed a right to relief [137] (which was often equated with the evil occasioned by that other late 19th century folk-devil, the 'Indiscriminate alms-giver'). Rather, fuelled by a crude translation of Darwinism into social thought, a somewhat different arrangement of incentives and opportunities was entailed. Thrift, duty and self-help, the watchwords of Samuel Smiles, were now given a pseudo-scientific backing and attached to new administrative methods and techniques of intervention. Together, they served as the banners under which social reform came to be organised.

By the end of the 1860's the theory of the survival of the fittest had become a doctrine which many enthusiasts applied to human economy as well as the biologic world. Was philanthropy only perpetuating weakness and degeneracy? Translated into a method of dealing with poverty, this meant the less of relief the better ... To be destitute to the point of having to ask for relief was to be guilty of a defect in character - in short, to be in need of reform. [138]

Under the more rigorous casework of the 1870's and 1880's the 'science' of character was an ever more pressing driving force of change within philanthropic practice - the demands of scrutiny, inquiry, interrogation and observation became increasingly important as the means of assessing progress or improvement. Character, manifesting itself as a greater capacity for self control and thrift [139] was, in this way, firmly situated as the key to the charitable endeavour. [140] In short, character was the very focus of the 'charitological obsession'. [141] As the character of the pauper 'improved', indeed, as he ceased to be a pauper, so his capacity for self control grew and

he acquired more enduring habits of industry. Charitable casework had, as its objective, the moral 'mobility' of the pauper, firm in the conviction that this would lead to forms of social promotion, moral piety and an acceptance of the prevailing order of society. [142] Improvement, or 'success' in these endeavours was marked by the movement of the pauper upwards through the 'character assessment charts' of the charitable agency.

The emphasis upon individual character in casework and rehabilitation seems equivalent to the implicit emphasis of the early 19th century penitentiary, and its array of punishments, upon the 'soul' - which, as Foucault and Ignatieff have shown, became the veritable prison of the body. The metaphor applies with equal force in respect of relief casework for, as Helen Bosanquet reminded charitable visitors when advising them of ways of dealing with the poor, "the soul literally is, or is built up of, all its experience". [143] For the pauper or relief applicant, then, character dictated the status of the human being. This was a view confirmed, in 1917, by Mary Richmond. Richmond was a pioneer of 'diagnostic' casework, bringing to casework and social investigation an elementary practical psychology which served as a precise vehicle for a detailed intervention into the lives of individuals. Richmond refined the disparate investigative techniques prevailing in casework and pauper visitation in the latter decades of the 19th century and synthesised them into a single diagnostic technique. On the basis of this work, the little-known science of 'characterology' was born. 'Characterology' was little short of universal in its objectives.

Social work, as I see it, takes no special point of view: it takes the total human point of view. [144]

This, however, is only the investigatory discipline in its more advanced stage. Social diagnosis promised a technique far more wide-ranging than the simple scrutiny of relief applications. We need to pause and consider the developments in forms of social casework (now defined as such rather than as relief administration in deference to the pronouncements of contemporaries) in order to describe the ways in which the universal practice of social diagnosis came into being and, also, to indicate the ways in which, De Gerando's 'principles' were being translated into practice after 1870. [145]

Goschen's suggestions in 1869 only marked out the respective 'territories' of the Poor Law/Local Government Board and the charities. This was a division of the pauper classes on the basis of a criterion of 'desert' or 'helpability'. Where the 1834 Act had, as a fundamental principle, established a right [146] to a certain kind of relief, it followed that charity should assist those to whom relief was denied or, with those aspects of assistance in which the relieving officers were prevented from becoming involved.

In fact, the neat precision of Goschen's formula was compromised, almost from the outset, by the terminological confusion surrounding interpretations of the 1834 Act itself and the preponderance of regulations and policy decisions (Goschen's 'Minute' itself being one of the latter) determining the actual delivery of poor relief. [147] Thus, in the crusade against out-relief, the pattern of charitable intervention could not be clearly demarcated and the charities tended to fall back upon their older more 'moral' predilections, not so much complementing the Poor Law's provisions by filling in all the gaps, as selecting those deemed 'deserving' of assistance and referring all others to the Poor Law.

The unemployed were divided into 'thrifty and careful men'; 'men of differing grades of respectability, with a decent home'; and 'the idle loafing class or those brought low by drink and vice'. The latter were referred to the Poor Law, and suitable cases in the first two classes were helped by the payment of benefit club arrears, by the redemption of clothes from pawn, by 'private influence' and by 'careful advertising in suitable papers'. [148]

FROM 'DESERVING AND UNDESERVING' TO 'CURABILITY'

The basis of the very division of the relief load between charity and the Poor Law rested upon perceptions of personal 'merit' and the moral superiority of certain classes of pauper - the 'deserving' and the 'undeserving'. [149] Thus, in the early years of the C.O.S., it is hardly surprising to see such principles dictating the precise pattern of dispositions in respect of the relief applications received by particular charities. In this way the division between the 'deserving' and the 'undeserving' became etched deeply into the history of poor

relief. [150] Nothing here is intended to challenge the obvious significance that moral ideologies have had in dictating relief policy and practice throughout the 19th and 20th centuries – whether these ideological preoccupations have been articulated explicitly or have emerged through the practical operation of policies. However, only at some theoretical cost do we ignore the dissipation of an explicit moral ideology and practice in the developing relief work of the philanthropic organisations after 1870.

Firstly, a relief strategy based upon principles of treatment and rehabilitation – that is, a relief strategy of normalisation – would find itself unnecessarily restricted as a technique of population management if it confined its operations solely to those deemed morally worthy. Secondly, a relief strategy which ruled out the supposedly 'immoral' frequently also ruled out those most in need of assistance. Thirdly, a relief strategy based upon moral divisions frequently met some substantial opposition in working class communities. [151] Insofar as relief work (incorporation or normalisation) frequently sought the co-operation of the working class, then such opposition posed clear problems. Finally, after the mid-1880's and certainly after 1890, "the C.O.S. had been forced to renounce the criterion of 'desert' as a basic principle of casework." [152]

C. S. Loch had often held that "charity has to discriminate", that the very purpose of charity was to make distinctions between cases (interestingly, many modern philosophical approaches to 'welfare' make exactly the same point). [153] But, as Fido has suggested, one of the initial functions of the discrimination in earlier charitable relief practices was to check demand and to confine the limited resources of the charitable agencies to those who particularly deserved assistance. [154] In later years, however, opposition to the overzealous application of C.O.S. principles and (as the C.O.S. had forged a particular kind of relation with the Poor Law enabling it to concentrate upon rehabilitation and treatment) the specialisation taking place within casework, brought to the fore new orientations within the activities of philanthropy.

Charitable forms of relief, unlike the Poor Law, had always focussed upon

Individuals, they promoted individual virtues and secured individual avenues of betterment, but they had always (previously) accepted the commonplace aetiology of pauperism as the result of the depraved morality of a class. Thus, in earlier conceptions, it was the class – the dangerous class – which was the source of the depravity. [155]

In the later 19th century, however, a more sophisticated aetiology had developed, social darwinism had promoted an interest in heredity, whilst a growing 'environmentalist' discourse tended to locate the causes of pauperism and criminality in the background, culture and lifestyle of the pauper – in association with inherited factors. [156]

Casework also contributed to this growing aetiological sophistication, particularly through its rigorous investigation of the pauper or relief applicant. Caseworkers or relief administrators sought to rehabilitate the pauper thoroughly, not merely to relieve his or her distress temporarily. Charity workers equated their interventions in the social and moral domains with the actions of a doctor in the medical. Hence, charity workers, in seeking the most appropriate means by which to bring about this rehabilitation had to isolate the causes of such individual depravity in order to apply their remedial treatment. These kinds of orientations within casework led eventually to the very diagnostic nature that casework assumed in the first decades of the 20th century. In what the C.O.S. referred to as 'Scientific Charity', we have the first embodiments of this.

Yet a diagnostic relief strategy based upon casework was necessarily individualistic. [157] The specificity of the casework remedy, resting upon the isolation of the most salient causes of pauperism (or deviance) implied, in turn, the individualisation of the aetiology of pauperism (or deviance), something that charity, emphasising the demoralised and essentially class-based nature of poverty, had never previously accepted. Thus, when Loch was proclaiming that, to be really beneficial, "charity must adjust its means to the wants of the particular case". [158] he was also acknowledging the new directions taken by relief strategy in the final decades of the 19th

century.

But a relief strategy based around the objective of 'social rehabilitation' that individualised cases so effectively, both in terms of causes and in terms of treatment, could no longer impose, by itself, a major division upon its potential clientele. Cases could no longer be simply 'deserving or undeserving'. Instead they reflected differing grades of seriousness, the more or less urgent or difficult. The C.O.S. never wholly abandoned its preoccupation with the moral ideologies of thrift, ability and self-help and, in many respects, these attitudes remained indelibly stamped upon subsequent relief strategy, even though specific moral preoccupations remained strictly implicit. However, moralism, individualism and diagnosis coexisted at the heart of the relief discipline providing a great deal of the driving force behind the development of casework itself. The return of criteria such as 'curability' or 'helpability' to the forefront of relief practice once again betrayed the rather moral origins of much casework – as did the still significant division between cases now deemed 'appropriate' to charitable intervention and cases to be assisted through the Poor Law. As Loch observed, "Investigation will indicate who are curable and [this] will limit the field of charity as apart from that of the Poor Law and other public bodies." [159]

There is, therefore, a whole world of difference between the relief strategy of 1869, based upon an explicit division between deserving and undeserving as articulated administratively in the Goschen 'Minute' of that year and Loch's admonition to the thoughtless almoner in 1883:

'Deserving', the favourite word of the thoughtless almsgivers, it implies a wrong test. Strictly used it is merciless; loosely used it is meaningless. Almoners should assist in order to cure. [160]

By transcending, at least theoretically and discursively, the moral division between categories of relief applicants, the new emphasis upon social pathology and aetiological individualisation, casework and rehabilitation, treatment and norm, signalled an end to the exclusive confinement of social deviance within the pauper class. In future, the whole of the poor – almost the whole of the working class, the class existing under the permanent and immediate threat of

poverty – would become the potential clients of casework.

The disciplinary potential of casework multiplied manifold, therefore, once it was allowed to articulate its own strategic objectives of social normalisation rather than being attached, as a supplementary discipline, to the blunt and repressive instrument of the Poor Law. Although members of the C.O.S. and other advocates of varieties of casework were yet to absorb a great deal of time and effort in pushing for reform of the Poor Laws, [161] the problem of the synthesis of relief strategy and casework technique was never formally settled until the adoption of a general system of social insurance in 1946. Until such time there would continue to be a contradiction at the very centre of British relief strategy between the deterrent orientation of the Poor Law – the disciplinary system which, as a spur to industry, exacerbated the poverty and exclusion of the poor – and the individual and rehabilitative orientation of the developing casework professions – emphasising social incorporation and normalisation. Although, after the 1880's, there was increasing pressure from both within and without the Poor Law administration to move towards a considerably more 'treatment-centred' approach, for a number of reasons this proved difficult. [162] A good deal of the repressive imagery of the Poor Law persisted well beyond its final dissolution in 1929. [163]

The significance of the changes discussed here, must not go unremarked. The relief strategy which began as the means for assisting a select group of the poor based upon individual or family character reformation, neglecting the 'unhelpable' to their own resources or the Poor Law, had now come to make virtual 'sciences' [164] out of character and charity within a scheme for "attempting to fit the human being back into his place in society". [165] For, as Cormack has recognised, under the new relief strategy of the last decades of the 19th century, the real test, "is not whether the individuals are deserving or undeserving, but whether the action to be taken will help the family to function again." [166] In this way, social functioning and normalisation were the focal points of the new relief strategy pioneered through casework. The, seemingly, complementary liaison of casework and insurance was only fully brought about after 1946 although it addressed problems of social management

with which 19th century relief administrators were well acquainted.

Nevertheless, the changes in relief strategy registered the end of social casework as a residual practice. No longer were its ministrations to be confined to an 'immoral' minority rather, 'casework' techniques came to be attached to a large number of other forms of social intervention, within which were deployed powerful sets of constraints and incentives, having the population as a whole as their 'material'. A preventative, normalising, casework had come of age. In the 1870's and 1880's, though, the methods of formal collaboration between relief practice and charitable casework were a good deal more rudimentary.

The initial point of administrative collaboration between Poor Law and philanthropy, aside from the individual contacts of relieving officers and charity officials, were, as Goschen had suggested, the 'Relief Lists' compiled by Poor Law Union relieving officers. As a further confirmation of the principle of 'less eligibility' and the stigma of receiving poor relief, lists of applicants and recipients were published for the information of charities. The charities reciprocated with lists of their own. Contemporaries argued that the lists were important in helping co-ordinate relief effort although it is undeniable that a major objective of the listing and publication was the prevention of abuse whilst, for many, the deterrent effect produced by the fear of appearing in a pauper 'list' has to be reckoned with.

As in earlier times when Private Law Enforcement Associations had published their own lists of convicted offenders, now, private charitable associations (and the Poor Law) displayed their own catalogues of the poor. Certainly, the charities were signalling their own successes through this practice, but it is equally clear that, in so doing, they were making powerful statements about the tutelary dependence of the clients/applicants/recipients. Yet this, indeed, is precisely how later Victorian philanthropy appears to have viewed the relationship of the classes. To contemporaries, the pauper was a member of a depraved class, a member of that section of the working class afflicted with a disease from which he/she must be saved, but saved as an individual.

Perhaps Octavia Hill has best expressed the relations of individualisation and subordination that prevailed throughout the practice of philanthropy towards the end of the 19th century.

Charity owes all its graciousness to the sense of coming from a real friend. We want to bring the rich and poor, the educated and uneducated, more and more into direct communication . . . If the poor are to be raised into a permanently better condition they must be dealt with as individuals by individuals. [168]

And, of course, at the time it appeared to most 'enlightened' opinion as absolutely axiomatic that the common good, the nation itself, depended upon that subtle interplay of character, discipline, tutelage and thrift that only the bourgeois philanthropist could impart. [169] The C.O.S. went even further, supposing that, once relief had moved beyond the limits of a merely charitable practice in order to encompass the whole social field, then, even class distinctions themselves "may be partly effaced." [170]

At the height of the fears about the widespread demoralisation of the working class, the C.O.S. was in a strong position to advance a particular form of interventionary relief work. Firmly supportive of the principles of 1834 in public poor relief, the society's basis of intervention rested upon the relief applications made to it. [171] In the manner of the Poor Law, the C.O.S. applied its own 'casework test' to ascertain whether the applicant would be susceptible to rehabilitation and the formation of habits of industry. Here the C.O.S.'s own combination of systems and techniques became relevant as an intensive scheme of monitoring and surveillance of the working class. Relief lists, extensive case-notes, elaborate recorded detail and scales of character upon which the progress of rehabilitation was to be charted formed the basis of C.O.S. work alongside a network of regular and overlapping visitations of the poor in their own homes. (See Appendix.)

Jose Harris, however, has expressed grave doubts about the capacity of the C.O.S. "to cope with more than a small proportion of unemployed distress."

The number of cases demanding relief in a period of high unemployment far exceeded the financial and administrative resources

of organised charity, particularly since the C.O.S. sought to limit the caseload of its almoners to three or four families. [172]

This helps clarify something about the contradiction at the heart of the operational strategy of the C.O.S.. Their casework was pioneering and innovative and their pretensions grandiose in the extreme, their methods were precise and thorough, being disciplinary in intention and application yet, as must by now be apparent, the Society's work was highly discriminatory, their basic principles stoically traditional.

Commentators on the C.O.S. sometimes misunderstand the relationship between the organisation's ideology and practice. For, in many respects, the rigidity of the moral stance of the C.O.S. – for instance its moralistic stance in favour of the withholding of poor relief [173] – dictated its practical assistancial role. As an Organisation Society its very existence was predicated upon preventing the duplication of relief giving and the overlapping of scarce resources such as visiting and report writing. At the same time, it was quite ruthless in its desire to stamp out the fraud and deception it believed was practiced by a significant number of the poor against existing relief agencies. [174] The harshness of the C.O.S. line and what some contemporaries appeared to have viewed as its 'imperialistic' intentions combined with the rather simple 'test' applied by the Poor Law led to the Society developing its own investigative mechanisms out of which its particular variant of casework grew. As Fido remarks, although casework had not been the primary aim of the Society, it "became the main arm for transmitting its ideology into action." [175]

Concerning the discrimination of the Society, on the other hand, it is clear that this assumed two aspects. In the first place, it was C.O.S. policy, at least in the earlier years, to classify the poor and then assist only those deemed 'deserving'. In the second place, the precise clientele of the society is likely to have been quite arbitrary. In some cases the poor family would be subjected to the most intensive regime of supervision, chastisement and inducement while other families in identical circumstances may well have been completely ignored. Such contradictions appeared in their starkest form when

confronted with the acknowledgement that, often, those families most hidden from the Society's gaze and, possibly, also the most 'undeserving' of all were likely to be those in most need of charitable relief. [176]

It was hoped that the arbitrary coverage of C.O.S. visitors would be overcome by a systematic allocation of districts to the Society's workers. This, it was assumed, would also mean that the spirit of community could also be actively fostered amongst the poor.

C.O.S. workers were expected to develop an intimate knowledge of their district, so that they would be working within a locality 'not as a chaotic agglomeration of atoms, but as an organic whole.' C.O.S. workers were confident that, even under the pressure of large-scale distress in hard Winters, the machinery of close personal supervision could be applied ... [and] each case could still be separately and thoroughly dealt with according to a definite plan of rehabilitation. [177]

Despite the difficulties and an, almost inevitable, uneven coverage of the districts in which the poor lived, the C.O.S. organisers were clear about what their form of relief-giving demanded as the basis upon which a disciplined rehabilitation could be built - "what is really wanted, ... is an up to date knowledge of each family", suggested one author. Yet such grand aspirations were beyond the limited resources of the Society and, consequently, the compromise that was settled upon emerged as the principle that nothing was given free on a regular basis and very little without the prior assessment of the moral condition of the family or household concerned. [178]

The significance of the study of character in the organisation of relief has already been explored briefly. Information on character constituted the raw material which the emerging science of 'charitology' was to work up into a knowledge. This process was, indeed, vital for, as A. W. Robinson wrote, just after the turn of the century, "the first thing needed for anyone who intends to undertake charitable work, is knowledge." [179]

This knowledge was built up within the Society's investigative work - the visiting and interviewing which, through its combination of supervisory and interrogatory preoccupations, gave rise to the discipline of casework and the range of

devices by which this highly individualised knowledge was deployed and displayed. Casework, under the C.O.S., was undertaken according to very precise procedures. Applications for relief were received, (charities tended to prefer it if the applications were made by heads of households) and then, from this application, as much information as possible was gleaned, before the Society's agent would write to 'responsible persons', to whom the applicant may have been known, who may be willing to verify the information. Subsequently, the applicant would be interviewed at his/her own home by a representative of the Society, all relevant details being recorded on a set of specifically designed case-papers. (See Appendix)

The casepapers were a crucial document, being both the basis of the visiting agent's interview and the basis from which each individually oriented pathway to social rehabilitation was charted. The casepaper was truly the hub about which the relief and rehabilitation operation worked. When properly completed, the papers were presented to a committee or sub-committee of the Society which was then enabled to take decisions, firstly, about whether to help at all, secondly, about what the applicants immediate needs were and, finally, about how the most effective system of rehabilitation or treatment might be arranged for the longer term. [180]

We can be quite explicit about the central significance of the casepaper system within the strategy of the C.O.S.. Relief workers and visiting agents may come and go but the casepaper captured forever and displayed the details of the case and the action taken. Casepapers were an important instrument which effectively synthesized principles of discipline, interrogation, procedures, knowledge, action and results. In this light, Fido's remark that, "a C.O.S. casepaper is an awesome document" seems quite accurate. [181] However, although the precise questions included within the casepaper may well have been identical to those formulated by De Gerando and others over 50 years earlier their point of reference was no longer so simply and transparently administrative.

In the relief scheme laid out by De Gerando, the extensive array of questions,

observations and crucial signs for the attention of visitors. Investigation had a primary role in the proper targetting of relief and other forms of assistance. The substantial part of De Gerando's proposed scheme of Interrogation was designed either to prevent forms of fraudulent imposture or to select suitable cases for assistance. Although, throughout his manual, De Gerando continued to stress the importance of charity placing its real emphasis upon the future in its projects of individual reform, his vision of charity's further role in that future was rather limited. It is fair to say that in De Gerando's scheme the major emphasis rested upon the initial act of assistance. While subsequent personal supervision continued to have a role to play, it was a relatively minor one. It seems as though the act of assistance, made after an investigation, confirmed and endorsed the virtuous natures of those upon whom it descended - for at this time (1833) the poor could still be viewed as 'unfortunate'. In any event, only the 'unfortunate' were assisted. The division here was made very clear and simple. Those worthy of help were, indeed, helped and their own characters, virtues and industriousness supposedly saw to it that they did not lapse into pauperism again. Where the significance of an initial discrimination was itself so clearly drawn then, save a formal kind of check on progress, subsequent visitation had less of a role to play.

The same was manifestly not true in the later period under the rehabilitative regime of the C.O.S.. Although the initial focus of investigation remained important, seeking to eliminate forms of 'abuse,' fraud and duplicity (ie. practical administrative matters), at a time when visible poverty and dependence spelled vice and moral falling then a follow-up pattern of casework and visiting was crucial. Casework was vitally important in perpetuating the superior influence of a morality which, all agreed, would impress upon the pauper the error of his/her own ways by indicating the true rewards of industry, sobriety and thrift. At the same time, casework was but one more of the several relations constituted by Victorian bourgeois society, for bringing the different social classes into a harmonious association accompanied by the proper relations of deference and patronage that contemporaries frequently demanded. Yet, perhaps the most significant facet of casework, particularly in its later history, consisted (as has been suggested) in its employment as a

diagnostic technique. Deriving from conventional notions of pauperism as a result of individual moral falling, later versions of C.O.S. casework, were based upon the premise that pauperism could be but a symptom of a deeper malaise. Thus, casework, adapting older interrogatory disciplines in a new relational setting, could become a kind of confession which, reflected in the accurate and comprehensive casepaper, could reveal a great deal to the trained eye. [182] Consequently, special devices, techniques and interview settings were employed to assist the casework practice, for now,

the object of taking down a case is not merely to get a statement of the facts but, if possible, to enter into the mind and thoughts of the applicant. [183]

This new and ongoing form of investigatory casework practice was a far remove from De Gerando. Casework no longer served primarily as a means to an end. In future, in a large number of cases, casework, as an on-going social diagnosis, was the end: supervision, observation, treatment. Loch insisted that charity now implied far more than simple 'asking and giving' for, in the future it must strive for character transformation. The, "up to date knowledge of each family," that philanthropists hoped would serve as a data-base for the C.O.S. operations was not envisaged simply as a catalogue of old files of past cases but was intended to be a living body of knowledge that grew out of and fed back into the casework, home-visiting and interviewing of the charity's agents.

Only an integrated and diagnostic system of casework could provide this 'body of knowledge' and, moreover, the extension of casework practice beyond the so-called residuum offered precisely such an opportunity for the refinement of the discipline, just as it promised to bring the whole of society within the remit of the technique. In most respects, the home visit provided the practical focus for C.O.S. social intervention, the family, its welfare and, later, family therapy, each the objective concern of the discipline, marking its gradual reorientation.

Towards the end of the 19th century, casework was, therefore, considerably more systematic and rigorous but also more reflexive and relational than its

earlier counterpart, relief visiting. The practice had moved through a phase where, in 'discovering' the culpability of the poor, it had effectively individualised the aetiology of, and response to, pauperism and had begun to embark upon a new course as a component of an emergent strategy of normalisation where, in concert with new forms of social insurance, techniques of 'intervention' would reach out from the margins of pauperism and begin to erect statutory forms of discipline around the working class as a whole. Under both early and later systems of casework, discrimination had been a vital key to the success of the practice but, now, the character of this discrimination changed quite substantially as relief activities began to assume, what might be termed, a more 'preventative' ethos. [184] Inevitably, the capacity of casework to contribute to the social mobility and 'improvement' of members of the working class at the end of the 19th century rested heavily upon the real improvements registered in the economic condition and fortunes of Britain but, nevertheless, the new role of casework did reflect major developments within the discipline itself. However, what is significant from our point of view, is the way that, as the practice of casework (and systems of management and administration of the poor more generally) generalised and diversified above and beyond its particular grasp of a specifically pauperised 'class', then significant transformations, subdivisions and changes begin to register within the remaining 'marginalised' 'residuum'.

INCORPORATION AND THE 'RESIDUUM'

The developments alluded to above are particularly interesting, not merely because they relate closely to that diminution of the 19th century 'dangerous and criminal class' (of which the pauper and the vagrant had always been a component part) described in an earlier chapter, but also because they testify to equivalent shifts, within other areas of social policy, by which relatively small groups of 'the deviant' are isolated and then subjected to harsh, even punitive, policy measures. Indeed, as Crowther has suggested, "In a world where poverty was diminishing, pauperism could seem even more blameable." [185]

Clearly, the processes culminating in the isolation of a distinct category of 'hardened criminal', 'vagrant' or 'recidivist pauper', are entirely bound up with the more developed systems of classification and segregation of the inmates of institutions or the recipients of assistance which were gathering apace in the latter half of the 19th century. Within the Poor Law, in particular, as Crowther and Williams, amongst others, have shown, the last decades of the 19th century saw a considerable expansion of indoor systems of classification. Increasingly, the sick, the old and infirm, widows, children and persons of unsound mind were subdivided and separated within the walls of the institution and, as explicit forms of treatment were advanced as part of the emerging preventative orientation of the new relief practices. [186]

The full dimensions of this new 'preventative relief' strategy tended to emerge from the interaction of a number of policy areas, themselves clearly driven in certain ways rather than as the result of conscious exercises in social planning. While this is broadly true, however, the introduction of Unemployment Insurance in 1911, an event which sealed the ascendancy of the new preventative orientations of policy over and above the more explicitly punitive systems advocated, for example, by the Webbs, [187] was quite clearly planned in full awareness of its potential - a potential that Churchill, for one, was not afraid to make explicit. [188]

The preventative impact of the new administrative and relief measures was, therefore, enhanced by a number of long term trends which were now coming to the fore. Economic developments: the expansion of manufacturing industry and relatively improved opportunities for the urban working class (especially in the skilled trades). Social developments: the intensified stratification of the working class as new patterns of opportunities presented themselves (of which the 'labour aristocracy' debate registers particular aspects of the most significant features), decasualisation of certain manual trades and the opening up of new careers, lifestyles and patterns of consumption with the development of mass retailing outlets - all of which were reflected in new patterns of aspirations within the more affluent and 'respectable' working class. [189] Finally, political, legal and constitutional developments, the eventual completion

of the enfranchisement of the vast majority of the male working class, the organisation and further mobilisation of the Trade Unions, the extension of their civil and legal immunities and the gradual emergence of a labourist lobby for social reform based upon criteria of 'right', need and social protection and prevention rather than upon the fairly punitive regime of the Poor Law authorities.

These kinds of developments, out of which sociological and historical enquiry had tended to distill the sources of social division, mobility and hierarchy (focussing primarily upon the labour aristocracy debate), form the backdrop of social changes against which an account of the preventative shift within relief strategy must unfold. Despite a strong sociological preoccupation with analyses of social division, the changes taking place might equally well be said to express a new form of order. Certainly there are good grounds for suggesting that this order is substantially more complex than that of half a century earlier, but important and disciplinary elements of this new order, which it is appropriate to call 'preventative' can be identified by an examination of the effects of the social changes sketched above and the new directions taken by relief strategy. De Schweinitz also detected this shifting focus of social legislation and he wrote, that

since 1349 the law had been applied almost exclusively to coerce and confine the poor – maximum wages, compulsory service, prohibition of Trade Unions, restrictions upon movement. The spirit of the legislation had been negative. The state had been an instrument of repression. Now, government was being used, even though ineffectively, in a different way. [190]

From De Schweinitz' comment, however, it is less than clear as to precisely what had changed. Fairly obviously, the claim is not being advanced that a wholly new basis, or law of motion for society and social order, was being founded, but for our purposes the observation details the significant fact that social order was now being orchestrated in a new way.

Where sociology has shown its preoccupation for diversity, social division and hierarchy, the principles of a new arrangement of social order along preventative lines can be shown to have a particularly clear-cut grounding in

forms of discipline. One need not look too far for intellectual support in this critical endeavour for Stedman-Jones, above all, has criticised the one-sidedness of the teleological accounts of those authors who in

looking forward to the creation of the welfare state ... have concentrated upon proposals for old-age pensions, free education, free school meals, subsidised housing, and national insurance [and] have virtually ignored parallel proposals to segregate the casual poor, to establish detention centres for 'loafers', to separate pauper children from their parents or to ship the residuum overseas. [191]

TOWARDS PREVENTIONS

In 1887, two American philanthropists were entering a 'plea' for the establishment of 'State Boards of Charities and Corrections on the Pacific Coast'. [192] Their argument, advanced in a pamphlet published in San Francisco, drew attention to the sources, "of physical, mental and moral degeneracy [which] are so nearly related to pauperism indolence and crime, that they cannot always be considered apart." The authors developed a thesis which pointed to the supposedly inevitable track of pathology and depravity which offered little hope of return for the pauper or criminal, with the consequence that, "the depressed classes fall by an inevitable trend and tendency into the deeper channels of vagrancy, insanity, idiocy, and consequent pauperism and profligacy which continually recruit the ranks of the law breakers who fill our jails". [193]

These were common enough sentiments during the latter part of the 19th century, with their vision of deviance as a constant downward progression but, in discussing how to overcome such problems, these American philanthropists express quite categorically the new sets of disciplinary relations which came to comprise the new relief strategy of prevention. At the same time, the two writers realign the traditional relation of welfare and control that philanthropy had long embodied. In future, under the new preventative ethos of relief, "the correctional nature of benevolent work [will] tread close upon the footsteps of preventional effort." [194]

They attempt to clarify this equation of relief.

corrections relate to the treatment of ignorance and vagrancy after they have blossomed and borne fruit. The study of these subjects proves that early preventional management could have interrupted the current to profligacy and dried up its very fountains ... [whereas] correction or cure concerns itself with attempts to reform character already bad. [195]

The pattern of socio-economic developments tended in the direction of diversity. Avenues of social mobility were opened up to working class families who now faced hitherto unknown possibilities as the confining order of the 19th century class system gave way into the relatively more flexible order of the early 20th century made possible by capitalism and industrialism. In line with these developments, but following a logic partly its own, relief strategy (perhaps now more appropriately termed welfare strategy) was also breaking free of the restrictive mould of the Poor Law. [196] A combination of casework, insurance and 'self-help' tended to multiply aspects of social 'promotion' across society in accordance with a range of statutory, public, commercial and collective initiatives having questions of consumption and lifestyles as their particular concern.

On all sides, therefore, we have avenues of social promotion, classification and diversity, increased intervention and specialisation – yet all set against a backdrop of the de-dramatisation of class and employment relationships and the universalisation of preventative welfare practices, practices which were no longer directed at the pauperised section of society specifically, but at the working class as a whole.

Yet in the midst of all these processes of change, which have been amply recorded by sociology and historiography, there remains an important corollary element which seldom receives the attention it deserves. [197] Despite the positive and promotional direction taken by socio-economic developments and, hard on their heels, forms of social welfare intervention, in broadening a disciplinary series of social relations (its supervisions, tutelage, and knowledge) across the whole of the working class, the coercive core of these

new policies remained, until 1929 at least, fixed upon those classic institutions of social exclusion and correction, the workhouse and the prison. After 1929, with the ending of the Poor Law, the core of discipline and coercion within welfare strategy began to adopt different forms as, inter alia, the labour camp ideal and the means test, replaced the workhouse (but not the prison) transforming questions of exclusion into the rather more administrative issue of disentitlement.

As the two American philanthropists, cited earlier, had observed, the means of instilling social discipline were two-dimensional. The preventative system of welfare, established through a series of promotional rewards and sanctions and oriented towards the broad social objectives of order and forms of well-being, had to be complemented by a corrective system embodying harsh discipline and the punitive control of a minority deemed beyond the pale of the more positive and integrative forms of welfare strategy. [198] This 'residuum' could be characterised as the worst elements of society, thereby justifying the use of coercive policy measures against it and throughout the administration of the welfare state as a whole.

Whilst ideals of honesty, thrift and industry constituted the positive and promotional social ideals towards which the substantial part of the new, 20th century, welfare strategy was oriented, images of vagrancy, 'work-shyness', criminality and pauperising dependence and the schemes for organising their suppression and correction, constituted the spectres of deterrence which served as the basis for the whole system. [199] Even though the substantive orientation of policy had shifted from the coercion of the Poor Law era, and the first elements of a more positive and integrationist welfare strategy were coming into operation, systems of discipline still served as the baseline upon which the apparatus of welfare was founded. Indeed, they still do so.

The techniques and the strategic objectives of a disciplinary system of social policy were impelled beyond the confines of the Poor Law and the pauper class and became oriented towards conditions of well-being and states of welfare within society at large. Yet, with each avenue of mobility away from pauperism

and with each classification of relief/assistance recipients away from the Poor Law, the ostracism, disenfranchisement and penalisation of the remaindered minority – the 'residuum' – grew. The explicit disciplinary focus of social policy had, by now, clearly transcended the confines of the coercive Poor Law or the workhouse regime and had begun to find applications throughout the entire field of working class social relations. Nevertheless, the disciplinary nature of the entire new welfare strategy was made very apparent by the punitive and corrective regime still prevailing within the remaining institutions for the administration of the vagrant, the workshy, the able-bodied pauper and the petty criminal. Forms of social intervention which came to comprise the strategy of 'preventative' social welfare had placed the disciplining of the working class upon the first rungs of a primarily administrative ladder, but the basic forms of discipline upon which the whole welfare edifice rested were very familiar and easily observable at close hand in the remaining institutions in which the vagrant, workshy and able-bodied pauper (or unemployed), were to be housed.

CHAPTER 4 : APPENDICES

APPENDIX A: CASEPAPER ADOPTED BY AGENTS OF CHARITABLE
AND VISITING SOCIETIES IN THE LONDON PARISH
OF PADDINGTON, (1890's).

APPENDIX B: THE DUTIES OF A POOR LAW RELIEVING OFFICER,
(Article 215 of the Poor Law 'General Order'
of 1847).

APPENDIX C: THE GOSCHEN MINUTE: Relief to the Poor in the
Metropolis, 22nd Report of the Poor Law Board.
(1869).

APPENDIX D: STATISTICS OF PAUPERISM AND CRIME, Judicial
Statistics, 1858-1897.

APPENDIX A.

FORM A. FOR BOTH IN-DOOR AND OUT-DOOR CASES.

PARISH OF PADDINGTON, LONDON.

Relief Office, 289 Harrow Road, W., _____ 189 _____

No. _____

Report respecting

born

Admitted to

on the

day of

18

Calling (if any)

Married or single

Religious Persuasion

Name of Husband or Wife

When Married

Where married

Wife's Maiden Name

If a Widow, Name and }
Occupation of Husband }

Names of Children

and, if a child,

When born

Where born

When and where Baptised

Previous Residence and how long there

When and where last chargeable

In the case of a Lunatic—

Name of Justice

Date of Order

Exam. Exs. £ : :
Removal Exs. £ : :

Name of nearest Relative

Address of do.

Other particulars of the case, in- }
cluding names and addresses }
and financial circumstances of }
Relatives able to assist. }

**FORM B. FOR SETTLEMENT OR ADJUDICATION INQUIRIES ONLY.
PARISH OF PADDINGTON, LONDON.**

No. _____

Guardians' Offices, 289 Harrow Road, W., _____ *189*_____

Report respecting _____ Aged _____
 When born? _____ Where born? _____
 Name of Husband or Wife _____
 When born? _____ Where born? _____
 Names and Ages of Children _____
 When born? _____
 Where born? _____
 Date of Admission to Workhouse _____ By whose Order? _____
 If a Lunatic { Name of Magistrate _____ Date of Order _____
 { Name of Asylum _____ When sent? _____
 Residence before Admission to Workhouse, and how long there? _____
 Previous residences, given in order }
 backwards, as far as may be neces- }
 sary for showing settlement. }
 Calling or Occupation _____ Married or Single _____
 Able-bodied, temporarily disabled, or permanently disabled _____
 If married, When? _____
 Where? _____
 Wife's Maiden Name? _____
Christian and Surname. *Address.* *Occupation.*

Names and Addresses of {
 { Father
 { Mother
 { Husband
 { Wife
 { Children
 { Friends, or any Relatives not }
 above inserted }

If Apprenticed, or if Father was Apprenticed
 Name of Master _____
 Address _____
 Date of Apprenticeship? _____
 Residence during last 40 days? _____
 If rented a House, or if Parents rented a House }
 before Pauper was 16 years old? }
 When? _____
 Where? _____
 Landlord's Name? _____
 Address? _____
 Rent? _____
 Rates and Taxes? _____
 If possessed of an Estate? _____
 Value? _____
 Where? _____
 Parish Relief at any time? _____
 When? _____
 Where? _____
 If removed before? _____
 When? _____
 From what Parish? _____
 To what Parish? _____
 Where was Father born? _____
 When? _____
 (if not known)
 Where was Mother born? _____
 When? _____
 Where was Father living at time when }
 Pauper became 16 years of age? }

FORM C.

A REPORT on the Circumstances of _____
a Relative liable to maintain _____ his _____
who is at present chargeable to the PARISH OF PADDINGTON, in the _____
_____ at a cost of _____ per week.

Name and Age of the liable Relative	
His place of Residence	
What is his Occupation?	
Is he at present in Employment?	
What are his Earnings?	
What other Sources of Income?	
Has he a Wife?	
Is she able to Work ; and if so, has she Employment, and what does she earn?	
How many Children has he?	
What are their Ages?	
What does each Child earn?	
What Rent does he pay?	
Is he a Member of a Club, or Friendly Society?	
Is he in Debt?	
Is there a Bill of Sale on his Furniture?	
Does he Maintain, or contribute to the Maintenance of, any other Relative?	
Other particulars (if any)	

Dated _____ 189 _____
General Relieving Officer of the
_____ *Union.*

FORM D.¹

Name:—

PARISH OF PADDINGTON.

NORTH No.
SOUTH No.
WEST No.

No. —————

Relief Office, 289 Harrow Road, W., ————— 189—

Date.	Nature of Application and Order of Committee.	Date.	Initials of Chairman or Clerk.

¹ Note.—When it is decided to order *in-door* relief this form is stamped as follows:—

Approved
for.....weeks
[Date
of decision]
.....
Chairman.

*Article 215 of the General Order of 1847 relating to the Duties of a
Relieving Officer.*

THE following shall be the duties of a Relieving Officer :—

No. 1. To attend all ordinary meetings of the Guardians, and to attend all other meetings when summoned by the Clerk.

No. 2. To receive all applications for relief made to him within his district, or relating to any parish situated within his district, and forthwith to examine into the circumstances of every case by visiting the house of the applicant (if situated within his district), and by making all necessary inquiries into the state of health, the ability to work, the condition and family, and the means of such applicant, and to report the result of such enquiries in the prescribed form to the Guardians at their next ordinary meeting; and also to visit from time to time, as requisite, all paupers receiving relief, and to report concerning the same as the Guardians may direct.

No. 3. In any case of sickness or accident requiring relief by medical attendance, to procure such attendance by giving an order on the District Medical Officer, in the Form (V.) hereunto annexed, or by such other means as the urgency of the case may require.

No. 4. To ascertain from time to time from the District Medical Officer, the names of any poor persons whom such Medical Officer may have attended or supplied with medicines, without having received an order from himself to that effect.

No. 5. In every case of a poor person receiving medical relief, as soon as may be, and from time to time afterwards, to visit the house of such person, and until the next ordinary meeting of the Guardians, to supply such relief (not being in money) as the case on his own view, or on the certificate of the District Medical Officer, may seem to require.

No. 6. In every case of sudden or urgent necessity, to afford such relief to the destitute person as may be requisite, either by giving such person an order of admission into the Workhouse, and conveying him thereto if necessary, or by affording him relief out of the Workhouse, provided that the same be not given in money, whether such destitute person be settled in any parish comprised in the Union or not.

No. 7. To report to the Guardians at their next ordinary meeting all cases reported to him by an Overseer, in conformity with Article 218, and to obey the directions of the Guardians with reference to the relief administered in such cases.

No. 8. To perform the duties with respect to pauper apprentices prescribed by Articles 60, 61, and 62.

No. 9. To give all reasonable aid and assistance at the request of any other Relieving Officer of the Union by examining into the case of any applicant for relief, or administering relief to any pauper whose name has been entered on the books of such other Relieving Officer, and who may be within his own district.

No. 10. Duly and punctually to supply the weekly allowances of all paupers belonging to his district, or being within the same, and to pay or administer the relief of all paupers within his district to the amount and in the manner in which he may have been lawfully ordered by the Guardians to pay or administer the same.

No. 11. To visit, relieve, and otherwise attend to non-settled poor, being within his district, according to the directions of the Guardians, whose officer he is, and in no other way, subject always to the obligation imposed on him in cases of sudden or urgent necessity.

No. 12. To set apart one or more pages in his out-door relief list, in which he shall duly and punctually enter up the payments made by authority of his own Board of Guardians to non-settled poor, and to take credit for such payments in his receipt and expenditure book.

No. 13. To present his weekly accounts to the Clerk for his inspection and authentication before every ordinary meeting of the Guardians, and to the Guardians, at such meeting, for their approval.

No. 14. To submit to the Auditor of the Union all his books, accounts, and vouchers, at the place of audit, and at such time, and in such manner, as may be required by the regulations of the Commissioners.

No. 15. To assist the Clerk in conducting and completing the annual or other election of Guardians, according to the regulation of the Commissioners.

No. 16. To observe and execute all lawful orders and directions of the Guardians applicable to his office.

From: Chance, The Better Administration of the Poor Laws (1895)

Relief to the Poor in the Metropolis: Minute of the Poor Law Board.¹

THE published statements of Metropolitan pauperism have for some weeks past shown a considerable increase in the number of the out-door poor, not only as compared with previous weeks, but as compared with the high totals of 1867 and 1868. At the same time it has come to the knowledge of the Board that many persons (especially in the East End of London), who two winters ago were most eager in soliciting charitable contributions, have now expressed the opinion that the large sums spent then in charity tended to attract pauperism to those districts where money flowed most freely, and that they deprecate a repetition of the system then pursued. Under these circumstances the Board consider it equally important to guard on the one hand against any alarm which might arise on the part of the public, and result in an indiscriminate distribution of charitable funds, and, on the other hand to take such precautions and make such preparations as may enable Boards of Guardians and charitable agencies to work with effect and rapidity if any emergency should arise. And indeed, without considering the question of an increase in the numbers of the out-door poor, and looking simply to the present expenditure on poor relief, it appears to be a matter of essential importance that an attempt should be made to bring the authorities administering the Poor Laws and those who administer charitable funds to as clear an understanding as possible, so as to avoid the double distribution of relief to the same persons, and at the same time to secure that the most effective use should be made of the large sums habitually contributed by the public towards relieving such cases as the Poor Law can scarcely reach.

The question arises, how far it is possible to mark out the separate limits of

¹ 22 P.L.B., p. 9.

the Poor Law and of charity respectively, and how it is possible to secure joint action between the two.

One of the most recognised principles in our Poor Law is that relief should be given only to the actually destitute, and not in aid of wages. In the case of widows with families, where it is often manifestly impossible that the earnings of the woman can support the family, the rule is frequently departed from, but, as a general principle, it lies at the root of the present system of relief. In innumerable cases its application appears to be harsh for the moment, and it might also be held to be an aggravation of an existing difficulty to insist that, so long as a person is in employment, and wages are earned, though such wages may be insufficient, the Poor Law authorities ought to hold aloof and refuse to supplement the receipts of the family, actually offering in preference to take upon themselves the entire cost of their maintenance. Still, it is certain that no system could be more dangerous, both to the working-classes and to the ratepayers, than to supplement insufficiency of wages by the expenditure of public money.

The fundamental doctrine of the English Poor Laws, in which they differ from those of most other countries, is that relief is given, not as a matter of charity but of legal obligation, and to extend this legal obligation beyond the class to which it now applies, namely, the actually destitute, to a further and much larger class, namely, those in receipt of insufficient wages, would be not only to increase to an unlimited extent the present enormous expenditure, but to allow the belief in a legal claim to public money in every emergency to supplant, in a further portion of the population, the full recognition of the necessity for self-reliance and thrift.

It is clear, therefore, that the Poor Law authorities could not be allowed without public danger to extend their operations beyond those persons who are actually destitute, and for whom they are at present legally bound to provide. It would seem to follow that charitable organisations, whose alms could in no case be claimed as a right, would find their most appropriate sphere in assisting those who have some, but insufficient means, and who, though on the verge of pauperism, are not actual paupers, leaving to the operation of the general law the provision for the totally destitute.

It is, however, important not to ignore the fact that, even in the case of the destitute, whose maintenance the Poor Law authorities avowedly take upon themselves, there is a great disposition on the part of charitable persons, in what may be known to be deserving cases, to add to the minimum relief granted as a matter of legal obligation. At the same time, so long as the almoners of charities know that the amount of any allowance made by them to a poor family will be considered by the Poor Law authorities in determining the scale of out-door relief, they are likely either to withhold the money altogether, as only given in alleviation of rates, or (what is more probable) to give it without the knowledge of the local authorities. The first course stops the flow of charity, the second is demoralising and opens the door to many abuses. The best means to meet the difficulty would seem to be, that in all those cases where the Board of Guardians are granting relief—and in all such cases the relief must, by law, be adequate—the almoners of charities should abstain from giving food or money, or supplying any such articles as the Guardians are themselves strictly bound to grant, and especially from giving their charity in such a manner as would constitute a regular increase of income. If the charitable agencies wish to interpose at all in such cases, they should confine their assistance to donations of bedding or clothing or any similar articles which the Guardians may not consider themselves bound to provide at a particular moment, and which can be easily distinguished from other relief. It may be well to add that Boards of Guardians cannot legally give relief—

1. In redeeming tools or clothes from pawn,
2. In purchasing tools,
3. In purchasing clothes (except in cases of urgent necessity),
4. In paying the cost of conveyance to any part of the United Kingdom,
5. In paying rent or lodging,

so that assistance rendered for any of these purposes will not interfere with the action of the Guardians.

The general principle to be borne in mind seems to be that the obligations of the Guardians should not be curtailed, and that where the charitable associations consider it within their province to deal at all with persons on the parish lists, they should do so not by affording additional means of income, but by supplying once for all such articles as do not clash with or overlap the relief administered by the Guardians. It should, however, be clearly understood that no invitation is suggested to the charities to come, even in an indirect way, to the assistance of those for whom the Guardians are bound "to provide adequate relief." What is suggested is, that where the charities, as a matter of fact, do come in contact with that class of poor, they should act on the principles indicated, and, as far as practicable, in concert with the Guardians.

A cordial understanding between the Poor Law authorities and the charitable organisations based upon arrangements of the kind suggested, does not appear to be hopeless. It remains to consider by what means such an understanding can be brought about.

The first point is, that there should be every opportunity for every agency, official or private, engaged in relieving the poor, to know fully and accurately the details of the work performed by all similarly engaged. The lists of the relieving officers would form the natural basis for the necessary information. No funds are at the disposal of the Poor Law Board with which they could appoint a staff and provide offices for organising a general registration of Metropolitan relief. Other means must, therefore, be sought for providing that a public registering office should be established in every large district, where registers should be kept of all persons in receipt of parochial relief, with such particulars attached as might guide others in their inquiries. The clergy of all denominations, and the representatives of all the charities in the neighbourhood, should be invited to send in their lists to such offices, and to make themselves acquainted with the other lists deposited there, by which means an accurate dictionary or reference book might be framed, which would supply the necessary information about almost every person who had once received relief, either parochial or charitable. In the absence of any sufficient legal power in the Poor Law Board to enforce an organisation of this kind, the working of the plan must mainly depend on the voluntary action of the Guardians and of the various charitable bodies, but the Poor Law Board will be happy to afford any aid that may be in their power, and to authorise such expenditure as may fall within legal limits. They would be prepared—

1. To authorise the Guardians to print weekly lists, containing the names and addresses of out-door paupers, and the sums given in relief in each case.
2. To authorise any reasonable remuneration for extra work to officers whom the Guardians may employ to carry out this arrangement.
3. To instruct their inspectors to facilitate the communication between the official and private agencies, where such interposition may be of any service, and to assist in systematising as far as possible relief operations in various parts of the Metropolis.

It is evident that the suggestion made may be acted upon in all those Unions where the Guardians may be prepared to adopt them, without waiting for the adhesion of any Union which may be less disposed to co-operate in the scheme. The successful working of the plan in even a few of the largest and most pauperised districts would in itself be of great value, and undoubtedly secure a similar organisation throughout the Metropolis.

When the means of communication are established, it might be possible to agree on certain regulations which the charities might, with much advantage, engage to observe, not indiscriminately, or as an inflexible rule, but as a general practice. They might undertake—

1. To abstain from giving money or food to those in receipt of parish relief.
2. To inform the relieving officers of any gifts of blankets or clothing, upon the understanding that these gifts should not be taken into account for the purpose of curtailing the ordinary relief.
3. They might apply to the relieving officer on behalf of all such totally destitute persons whom, in the course of their operations, they might find unrelieved, but who properly fall within the sphere of the relieving officer. On the other hand, when the relieving officers are applied to for relief, and are bound to refuse it because the applicants are not actually destitute in the strict sense of the term, they might pass on the names and addresses to the charitable agencies where they think that the cases are likely to fall within the class which the charity undertakes to assist.

It will, of course, be understood that the Poor Law Board have no power in this matter to act beyond granting the necessary authority for the expenditure incurred on a part of the organisation required as described above. They can only invite the various charitable agencies and the Boards of Guardians to consider the suggestions which they have made. In 1867 great advantage resulted in the East End of London from the understanding established between the Guardians on the one hand, and the representatives of the charities on the other, with the co-operation of Mr. Sclater-Booth, then Secretary of the Poor Law Board, and Mr. Corbett, Poor Law Inspector. At the time of the cotton famine the Poor Law authorities and the administrators of charities also worked together with great success. These precedents justify the belief that great benefit would result to the Metropolis if a cordial understanding could be arrived at, and arrangements made between all parties engaged in relieving the poor, based on practical and systematic rules, in conformity with the general plan sketched in this minute.

GEORGE J. GOSCHEN, *President.*

POOR LAW BOARD, *November 20, 1869.*

APPENDIX D

POOR LAW, VAGRANCY OFFENCES AND ASSAULTS ON POLICE 1858-1868

	1858	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868
	3,981	3,513	3,450	-	-	3,867	3,379	3,711	3,942	4,588	4,973
	1,788	1,180	1,117	-	-	2,116	1,828	2,005	2,216	2,985	4,428
	927	830	578	-	-	1,458	1,694	2,128	1,367	1,559	891
Poor Law Offences: Total	6,696	5,523	5,145	6,282	7,432	7,441	7,261	7,884	7,525	9,132	10,294
Vagrancy Acts:											
Prostitution	9,997	7,308	6,694	-	-	8,063	7,428	7,035	6,245	7,139	6,233
Begging	9,776	7,716	7,544	-	-	10,869	9,545	9,194	8,424	11,343	13,563
No Visible Means of Support	3,678	3,125	3,030	-	-	3,819	3,738	4,034	4,293	4,700	5,835
Frequenting and Being in Enclosed Places for Unlawful Purposes	6,281	4,888	4,307	-	-	5,885	5,836	5,745	5,148	5,419	6,127
Being an Incurrigible Rogue	383	306	250	-	-	511	448	349	236	187	192
Other	2,585	2,414	1,922	-	-	3,226	2,653	2,567	2,679	2,627	3,442
Vagrancy Act Offences: Total	32,700	25,757	23,747	26,331	32,640	32,873	29,648	28,924	27,025	31,415	35,265
Assaults on Peace Officers (Resisting, Obstructing)	14,309	17,678	11,594	11,248	12,130	13,147	-	13,834	12,631	12,555	13,169

Source: Home Office: Judicial Statistics, Criminal Returns.

POOR LAW, VAGRANCY OFFENCES AND ASSAULTS ON POLICE 1869-1878

	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878
Deserting/Neglecting to Maintain	5,003	4,887	4,827	5,073	5,677	6,046	5,953	6,618	6,817	7,272
Disorderly Conduct in a Workhouse	4,507	4,173	4,289	3,213	3,201	3,037	2,716	2,825	3,547	3,450
Stealing or Damaging Workhouse Clothing or Bedding	1,462	1,863	823	596	512	548	395	358	579	651
Poor Law Offences: Total	11,002	10,923	8,939	8,882	9,390	9,631	9,064	9,801	10,943	11,373
Vagrancy Acts:										
Prostitution	7,922	7,383	10,050	11,607	10,892	9,102	9,089	9,104	9,394	8,654
Begging	17,541	15,945	13,603	11,279	10,225	9,328	8,972	9,753	11,213	14,247
No Visible Means of Support	5,323	5,433	5,149	4,886	4,843	5,365	5,507	5,619	6,141	6,307
Frequenting and Being in Enclosed Places for Unlawful Purposes	6,389	6,595	5,074	4,877	4,603	4,569	4,525	4,580	4,514	5,078
Being an Incurrigible Rogue	249	275	249	172	222	199	188	152	216	214
Other	5,600	6,070	5,398	5,543	5,864	7,178	7,886	8,239	8,573	9,264
Vagrancy Act Offences: Total	43,024	41,710	39,532	38,364	36,649	35,741	36,167	37,441	40,051	43,764
Assaults on Peace Officers (Resisting, Obstructing)	13,954	12,875	13,320	13,701	13,463	13,082	13,125	14,582	13,828	13,961

Source: Home Office: Judicial Statistics, Criminal Returns.

POOR LAW OFFENCES AND ASSAULTS ON POLICE 1878-1887

	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887
Poor Law Offences:										
Deserting/Neglecting to Maintain	7,272	6,759	7,342	7,006	7,515	7,244	6,839	6,458	6,136	7,550
Misbehaviour by Paupers	3,450	2,894	3,125	3,122	2,841	4,262	3,483	3,439	2,782	3,039
Stealing or Damaging Workhouse Clothing or Bedding	651	489	557	632	553	459	436	348	365	433
Total	11,373	10,142	11,224	10,820	10,909	11,965	10,758	10,205	9,283	11,022
Assaults on Peace Officers (Resisting, Obstructing)	13,961	12,088	11,985	12,840	14,356	13,328	13,117	12,563	11,007	10,784

Source: Home Office: Judicial Statistics, Criminal Returns.

POOR LAW OFFENCES AND ASSAULTS ON POLICE 1888-1897

	1888	1889	1890	1891	1892	1893	1894	1895	1896	1897
Poor Law Offences:										
Deserting/Neglecting to Maintain	7,373	6,941	7,191	7,246	7,798	3,079	2,873	2,458	2,478	2,581
Misbehaviour by Paupers	3,677	3,617	2,992	2,608	2,730	2,918	3,363	3,501	3,397	3,470
Stealing or Damaging Workhouse Clothing or Bedding	449	342	251	231	237	556	831	785	618	557
Total	11,499	10,900	10,434	10,085	10,765	6,553	7,067	6,744	6,493	6,608
Assaults on Peace Officers (Resisting, Obstructing)	11,735	12,523	13,202	13,052	12,635	13,008	12,975	11,460	12,315	12,683

Source: Home Office: Judicial Statistics, Criminal Returns.

NOTES TO CHAPTER 4: THE DISCIPLINE OF SOCIAL POLICY (PART II), THE POOR LAW AND PHILANTHROPY.

1. C. Jones, 'Social Work Education: 1900-1977', In Parry and Parry (ed.), Social Work, Welfare and the State, (1979) page 72.
2. See, C. S. Loch, How to Help Cases of Distress, Charity Organisation Society, London, (1883).
3. Jones, op cit. (1979)
4. See for Example, J. Fido, 'The Social Casework of the Charity Organisation Society', (1977), J. Harris, Unemployment and Politics (1972), Parry and Parry (ed.) (1979), C. Jones, State Social Work and the Working Class, Macmillan, (1983), U. M. Cormack, 'Developments in Casework', (1945) and Young and Ashton, British Social Work in the 19th Century, (1956).
5. M. Berg, The Machinery Question and The Making of Political Economy: 1780-1848, (1980) page 304.
6. Baron De Gerando, The Visitor of The Poor, London (1833). As we shall see, the Poor Law Report of 1834 was itself full of concern about 'fraud and abuse'.
7. C. F. Rogers, Circumstance or Character?, London, (1911) page 3.
8. N. Parry, 'Social Work, Professionalism and the State', In Parry and Parry (ed.) (1979) page 27.
9. Young and Ashton, op cit. (1956) page 53.
10. See for example, J. Popay, Fiddlers on the Hoof: Moral Panics and Social Security Scroungers, Univ. of Essex, (1977).
11. J. Symons, Tactics for the Times: As Regards the Dangerous and Criminal Classes, London, (1849) page 191.
12. Poor Law Report of 1834, page 334. New Edition, edited and introduced by S. and E. Checkland, Penguin, (1974). Henceforth, all references to the Poor Law Report will be to this edition.
13. K. Marx, Grundrisse, Penguin edition (1974). For an elaboration of this idea, see G. Kay, The Economic Theory of the Working Class.

- Macnillan, (1979), and G. Kay and J. Mott, Political Order and the Law of Labour, (1982), and T. Novak, Poverty and the State, PhD. Thesis, (1977).
14. See for example, E. P. Thompson, The Making of The English Working Class, (1963), Penguin edition (1979), P. Hollis, Class and Class Conflict In 19th Century Britain, RKP, (1973), and E. P. Thompson, Whigs and Hunters: The Origins of the 'Black Act', (1975).
 15. M. A. Crowther, The Workhouse System, (1981) page 44.
 16. See for example, K. Williams, From Pauperism to Poverty, (1981), Crowther, op cit, (1981), Ashforth, 'The Urban Poor Law', In Fraser (ed.) (1976), A. Digby, Pauper Palaces, (1978) pages 149ff., P. Thane, The Foundations of the Welfare State, (1982) pages 5-6, 58-9 and U. R. Q. Henriques, 'How Cruel was the Victorian Poor Law', Historical Journal, (1968).
 17. N McCord, 'The Poor Law and Philanthropy', In Fraser (ed), The New Poor Law In the 19th Century, MacMillan, 1976, pages 94-95, 102. This is not exactly the account that McCord presents, but a strategy of discipline and promotion operated by the Poor Law authorities would appear to be very similar to the policies which he describes.
 18. This is a relationship seldom made explicit in histories of social welfare, although as will be demonstrated later, it is quite fundamental to the explanation of the development of policy and practice. Of course, this entailed fundamental implications for the status and condition of the poor themselves.
 19. J Fido, op cit, 1977, page 208.
 20. A W Robinson, Charitable Relief, Handbooks for the Clergy Series, London, 1904.
 21. The Poor Law Report, Checkland's Penguin Edition, 1974, pages 376-377.
 22. Ibid, page 395.
 23. T R Malthus, An Essay on the Principle of Population, first published 1798, Penguin Edition, 1970, pages 93-103.
 24. Symons, op cit, 1849, page 185.
 25. See Williams, op cit, 1981, pages 65-68, and Thane, op cit, 1982, pages 33-35.
 26. See for example, G Rusche and O Kirchheimer, Punishment and Social Structure, London 1964. The authors described the measures taken against the mass of landless peasantry and vagrants in industrialising Europe which so fundamentally undermined the rights and obligations of

the poor under the 'Ancien Regime'. The often brutal repression entailed implied in a major way the relatively valueless character of human life. Subsequently, as Foucault and Pasquino have shown, as capitalism developed so did the value of the labourer as a unit of labour power grow quite markedly. See also, T Novak, Poverty and the State, Phd thesis, 1977.

27. Poor Law Report, op cit, page 82.
28. ibid, page 182-187.
29. Extracts From The Evidence to The Poor Law Commission, Published by Authority, (1833), quoted in De Schweinitz, (1943).
30. ibid, Checklands' Introduction to the Report, page 40.
31. M Blaug, 'The Myth of the Old Poor Law and the Making of the New', Journal of Economic History, volume XXIII, 1963, page 177.
32. Poor Law Report, 1974 edition, page 87.
33. ibid, page 89.
34. M Brundage, The Making of the New Poor Law, 1978, page 97.
35. Poor Law Report, 1974 edition, page 101.
36. ibid, pages 116-117.
37. ibid, pages 118-119.
38. ibid, page 118.
39. See for example, E P Thompson, The Making of the English Working Class, Penguin, 1963, J Foster, Class Struggle and the Industrial Revolution, 1977, R S Neale, Class In English History 1680-1850, 1981, especially chapters 4-6, P Horn, The Rural World: Social Change In the English Countryside 1780-1850, 1980, M Berg, The Machinery Question and the Making of Political Economy 1785-1848, 1980, and C Lis and H Soly, Poverty and Capitalism In Pre Industrial Europe, 1979.
40. Poor Law Report, 1974 edition, page 146.
41. ibid, page 155.
42. ibid, page 167.
43. ibid, pages 167-168.
44. ibid, pages 168-179.
45. ibid, page 168. As we can see in the comments of the Poor Law officials in their evidence to the Commission, an overtly class-political discourse begins to appear.
46. ibid, page 174.
47. W Chance, The Better Administration of the Poor Laws, London, 1895.

- pages 66-68, 116-119. See also R Mishra, A History of the Poor Law Relieving Officer, Phd thesis, University of London, 1969.
48. Poor Law Report, 1974 edition, pages 46-47, quoted in De Schweinitz, Englands' Road to Social Security, 1943, page 121, see also Checklands' edition of the Poor Law Report, 1974 Edition, page 119.
 49. De Schweinitz, 1943, op cit, pages 121-122, quoting from the Extracts from Information to the Poor Law Commissioners, published by Authority, 1833, page 389.
 50. Poor Law Report, 1974 edition, page 119.
 51. Poor Law Report, 1974 edition, pages 46-47, quoted in De Schweinitz, page 121.
 52. The problem for the Relieving Officer stems from the fact that he was legally responsible to maintain the poor in his district area and could be prosecuted if they should die while eligible for relief.
 53. Extracts from Information to the Poor Law Commissioners, 1833, page 387, quoted in De Schweinitz.
 54. Poor Law Report, 1974 edition, pages 387-388. See also, C F Bahmueller, The National Charity Company, 1981, where Bentham's plan for a national system of poor relief which made no distinctions between the poor and the criminal is described. Rather like Henry Fielding's plan for a House of Industry to which vagrants and the poor were expected to commit themselves voluntarily, Bentham's system of poor relief was heavily dependant upon institutional confinement. According to Evans, "The most extraordinary feature of the scheme was the generality of its function. Inmates were to be committed on suspicion or for not having a special pass, as well as for poverty, idleness, misdemeanour or crime. The industrious poor were expected to commit themselves voluntarily as a gesture of good will." H Fielding, A Proposal for Making an Effectual Provision for the Poor, for Amending their Morals and for Rendering them Useful Members of Society, London, 1753, quoted in R Evans, The Fabrication of Virtue, 1982, page 58.
 55. De Schweinitz, op cit, 1943, page 121.
 56. See the discussion in the Poor Law Report, 1974 edition, it was fondly thought that a 'proper' administration of the Workhouse and a full publication of its true character would allow the poor to come freely to their own decision as to whether to enter or not. However, as Digby has pointed out, in a number of regions (for example East Anglia) the

- poor came to another kind of decision and attacked the Workhouses burning several down. A Digby, Pauper Palaces, 1978.
57. De Schweinitz, op cit, 1943, page 123.
 58. N McCord, 'The Poor Law and Philanthropy', op cit, 1976.
 59. See a later discussion of the cross-fertilisation of ideas and practices between the Poor Law Authorities and the Charity Organisation Society.
 60. As we shall see, in the interventionary case work of the Charity Organisation Society during the late 19th century, poor relief practice focussed increasingly upon the pathology and treatment of the individual. As we have already seen, this individual had been the centre of certain traditions of christian philanthropy for some considerable time but it took the particular orientation of the Charity Organisation Society and its intensely moral aetiologies of poverty and deviance to create the socio-pathological obsession of Victorian philanthropy.
 61. K Williams, From Pauperism to Poverty, op cit, 1981, page 68.
 62. D Fraser, The New Poor Law in the 19th Century, 1976. Digby, op cit, 1978, M E Rose, The English Poor Law, 1971. M E Rose, 'Settlement, Removal and the New Poor Law', in Fraser (ed), 1976, and Ashforth, 'The Urban Poor Law', in Fraser (ed), 1976.
 63. Williams, op cit, 1981, page 61. According to the Webbs, English Poor Law History, volume 1, pages 143-45, the notion that the Poor Law Commissioners wanted to end all outdoor poor relief was false. See also, L F C Pack, The Evolution of Poor Relief in the Winchester Area 1720-1845, MA thesis, 1967, page 158.
 64. Poor Law Amendment Act, 1834, Section LII, chapters 4 and 5, William IV.
 65. Emergency cases were permitted as exemptions within the framework of the 1834 Act. The 1844 Outdoor Relief Prohibition Order stated that cases of 'sudden and urgent necessity' permitted Guardians to disregard normal relief practice, see for example, W C and R C Glen, The General Orders of the Poor Law Commissioners, the Poor Law Board, and the Local Government Board Relating to the Poor Law, 11th edition, London, 1898, page 41. See also, De Schweinitz, op cit, 1943, pages 134-5, and Williams, op cit, 1981, pages 64-65.
 66. In these respects it seems very much that Fraser et al. and the English historiographers take the opinions of contemporaries too much at their own word. See for example, De Schweinitz's earlier, although opposing, account.

67. A Brundage, The Making of the New Poor Law, 1978. M E Rose, 'The Anti-Poor Law Movement in the North of England', Northern History, number 1, 1966. N C Edsall, The Anti-Poor Law Movement, Manchester, 1971, and E C Midwinter, Social Administration in Lancashire 1830-1860, Manchester University Press, 1969.
68. Fraser, op cit, 1976, page 17. Williams has criticised this position, as follows. "By a variety of informal means, unions could be encouraged and persuaded to do more than or other than the orders prescribed ... But there is no evidence that pre-1870 strategy had a predominant, or even an important, informal dimension. Thus the formal regulations of 1844 and 1852 are the crucial resource for any reconstruction of pre-1870 strategy." Williams, op cit, 1981, page 64. This is not entirely true, for there is evidence of diversity of practice indicated by research on Poor Law Administration. Williams can legitimately claim that such research, following the 'received ideas' of English Poor Law historiography manifests the very same problems, insofar as it asks particular questions about the Poor Law. On the other hand, Williams' notion of strategy is also rather over-formalised in this application.
69. Fraser, op cit, 1976, page 18. See also De Schweinitz, 1943, chapter 13.
70. See Glen and Glen, 1898, op cit, and Williams, 1981.
71. Williams, op cit, 1981, page 65. Williams suggests that the idea that the pre-1870 Poor Law Board sought to remove all Outdoor Relief conflates the pre-1870 strategy with that of post-1870 years (page 66). See also the Webbs, English Poor Law Policy, 1910, quoted in P Thane, page 31, 1982.
72. Williams argued, in addition, that the 1844 and 1852 Orders situate the Able-bodied man as the key problem of the Poor Law by their attempt to regulate other categories of pauper around this basic problem group. Williams, op cit, 1981, pages 64-65. For a fairly unique treatment of the female pauper under the Poor Law see, P Thane, 'Women and the Poor Law in Victorian and Edwardian England', History Workshop Journal, number 6, 1978.
73. Ashforth, op cit, 1976, pages 129, 135. See also, Fraser, 1976, page 5.
74. See for example, Z Bauman, Memories of Class, RKP, 1983.
75. P Thane, 'Women and the Poor Law', op cit, 1978.
76. See for example, J E Thomas, Poor Law Administration in West Glamorgan, MA thesis, University of Wales, 1951, chapter 6 and, A

- Froshaug, Poor Law Administration in Selected London Parishes 1750-1850, MA thesis, 1969, pages 639-42.
77. See for example, Fraser, Ashforth, (1976), Midwinter, (1969), pages 49-50, P Horne, (1980), chapter 4, pages 114-129, P Mawson, 'Poor Law Administration in South Shields, 1830-1930', MA thesis, (1971), P Thane, (1982).
 78. See for example, M D Handley, Local Administration of the Poor Law in South West Cheshire 1834-1871, MA thesis, 1969, pages 129-131, 171-8, M Crowther, The Workhouse System, 1981, pages 72-76, A Froshaug, 1969, op cit, pages 656-660, J E Thomas, 1951, op cit, chapter 6, and, L F C Pack, 1967, op cit, pages 213-214.
 79. Williams, op cit, 1981, page 86.
 80. In histories of social administration it is often assumed that Victorian philanthropy stamped a division between the 'deserving and undeserving' upon the recipients of poor relief. In many respects this is so, although a number of the leading philanthropists went on to deny this division as a sound basis for the organisation of Poor Law Relief practice. See later discussion, especially the work of C S Loch, How to Help in Cases of Distress, London, Charity Organisation Society, 1883.
 81. See for example, T Sellin, Pioneering in Penology, 1949, De Schweinitz, op cit, 1943, chapter 3, pages 20-29, and F R Salter, Early Tracts on Poor Relief, 1927.
 82. M Foucault, Madness and Civilisation, chapter 2, pages 38-64, but see also the persistence of this kind of use being made of the institution in the post-war welfare state, P Townsend, The Last Refuge, 1962.
 83. Crowther, op cit, 1981, pages 65-66.
 84. Williams, op cit, 1981, Crowther, 1981, and see also R Vorspan, 'Vagrancy and the New Poor Law in Late Victorian and Edwardian England', English Historical Review, 1977.
 85. See for example, Foucault, 1977, Evans, 1982, and Bauman, 1983.
 86. See for example, Bauman, 1983, and J Hearn, Domination, Legitimation and Resistance: The Incorporation of the 19th Century English Working Class, Greenwood Press, 1978.
 87. G Stedman-Jones, Outcast London, 1971, page 257.
 88. See for example, J Strachey, The Manufacture of Pauperism, London, 1907, H Fawcett, Pauperism: Its Causes and Remedies, London, 1871

(cited in De Schweinitz, page 142). See also, Octavia Hill, quoted in De Schweinitz, page 146, concerning the manufacture of the poor. Invariably, those commentators concerned about the manufacture of pauperism were equally concerned about what they saw as the 'demoralisation' of the working class.

89. Ashcrott and Thomas, The Poor Law System 1902, appendix 1, page 320.
90. Ibid. pages 224-5.
91. Poor Law Board: General Order 1847, Article 215, note 2.
92. W Chance. 1895, op cit, page 25.
93. Poor Law Report, 1974 edition, 1834, appendix A, page 62, "a considerable diminution would be effected in the rates, the really deserving poor would by this means have every proper attention payed to their claims, and the dissolute and imposters would be detected."
94. Mishra, op cit, 1969, page 93.
95. The Webbs, English Poor Law Policy, pages 145-157, Mishra, 1969, pages 92-97.
96. Williams, 1981, pages 92-103, De Schweinitz, chapter 15.
97. Local Government Board, (1st Annual Report), 1871-72, page 64.
98. Quoted in De Schweinitz, 1943, page 156.
99. Local Government Board, (3rd Annual Report), 1873-74, appendix B, page 142, quoted in De Schweinitz, page 157, and Mishra, 1969, page 97.
100. M E Rose, 'The Crisis of Poor Relief in England 1860-1890', in Mommsen (ed), The Emergence of the Welfare State in Britain and Germany, 1981.
101. See for example, G Procacci, 'Social Economy and the Government of Poverty', Ideology and Conscousness, 1978. The metaphor of 'darkness within' for unknown England was conveyed in many philanthropic and reformist texts of the late 19th and early 20th century. For a good selection of descriptions of literary and social scientific 'journeys into the unknown' see, P Keating, Into Unknown England: 1866-1913, Selections from the Social Explorers, 1976.
102. Sir Charles Trevelyan, Seven Articles on London Pauperism and its Relation to the Labour Market, 1870, page 7, quoted in Stedman-Jones, page 244. Similar attitudes equally well-versed in the discourse of the dangerous and criminal class are reported in the late 19th Century USA, by Monkkonen. See E H Monkkonen, The Dangerous Class: Crime and Poverty in Columbus, Ohio: 1860-1885,

- 1975.
103. See, Stedman-Jones, 1971, chapter 13, M E Rose, op cit, 1981, and De Schweinitz, chapter 14, 1943.
 104. Stedman-Jones, 1971, page 242, and M E Rose, 1981, page 61.
 105. See Rose, op cit, 1981. Amongst this great outpouring of books and articles by the new generation of scientific philanthropists, were included the following: J H Stallard, Pauperism, Charity and the Poor Laws, 1868, E Robinson, In What Respects may the Administration of the Poor Law be Improved?, 1869, and Sir C Trevelyan, Address on the Systematic Visitation of the Poor in their Own Homes, 1870.
 106. See for instance, Stedman-Jones' discussion of the break-up of the dangerous classes, 1971, op cit.
 107. These enduring features had to do with the classification and categorisation of the poor by grades of moral virtue. At its crudest this categorisation distinguished those deemed deserving and undeserving. At its more sophisticated, this discourse of classification employed the terminology of social pathology. At base, the discourse rested on a penal treatment of those deemed poor or unemployed as a result of their own actions and, as we have seen, the treatment of this group served as a foundation upon which the whole disciplinary edifice of social policy, state intervention in the labour market and the relief of poverty stood.
 108. Lord Goschen, President of the Poor Law Board, 'Minute of the Poor Law Board on Relief to the Poor in the Metropolis', 22nd Annual Report of the Local Government Board, Issued 20th November 1869.
 109. The Webbs, The Prevention of Destitution, pages 226-227.
 110. Mishra, op cit, 1969, pages 90-98, Webbs, English Poor Law Policy, page 103.
 111. Goschen Minute, op cit, 1869, quoted in full in W Chance, 1895, page 233.
 112. Chance, op cit, 1895, pages 40-41, Ashcroft and Thomas, op cit, 1902, appendix 1, pages 321-325.
 113. Mishra, op cit, 1969, pages 99-106.
 114. It is important to emphasise this in order to refute the Webbs' thesis. For they implied that Poor Law history embodied a series of progressions and an increasing concentration upon treatment and rehabilitation by a refinement of its methods in respect of different categories of the poor. More recent historians, however, have attacked this liberal reading of Poor Law history by emphasising the crude

- reversal in relief practices after 1870. See for example, Williams, 1981.
115. Henry Longley, Poor Law Inspector, Report on Outdoor Relief in the Metropolis, 1873, included in the 3rd Annual Report of the Local Government Board, 1873-74.
 116. Ibid, page 207.
 117. Ibid, pages 139, 198.
 118. Stedman-Jones, 1971, page 255, see also Williams, pages 97-98.
 119. Local Government Board, 3rd Annual Report, op cit, 1873-4, page 207.
 120. Ibid, page 200.
 121. This code of rules is explained and some examples given in Williams, 1981, pages 97-98.
 122. Reports of the Poor Law District Commissioners, 1878, London, page 131, and Select Committee (Lords) on Poor Relief, 1888, questions 1160 to 1161, cited in Mishra, pages 97-98.
 123. Williams, 1981, pages 98-99.
 124. Longley, op cit, Local Government Board 3rd Annual Report, 1873-74, page 167.
 125. Stedman-Jones, pages 285-290, 1971.
 126. Williams, 1981, page 101.
 127. Ibid, page 102.
 128. B Weinberger, 'The Police and the Public in Mid-19th Century Warwickshire', in V Bailey (ed), Policing and Punishment in 19th Century Britain, 1982, see also, Stedman-Jones, 1981, page 272.
 129. 22nd Annual Report of the Poor Law Board, 1869, page 9.
 130. The Webbs, English Poor Law Policy, pages 242-250.
 131. Williams, pages 107-128, 1981, Crowther, chapter 3, ('The 1868 Memo') page 118, Crowther, 'The Later Years of the Workhouse', in Thane (ed), The Origins of British Social Policy, 1978.
 132. Crowther, 1981, page 65, De Schweinitz, 1943, pages 155, 163, The Minority Report of the Royal Commission on the Poor Laws and the Relief of Distress, 1909, Cd. 4499, pages 1078-79, the Webbs, English Poor Law Policy, pages 116-140, 207-240.
 133. See for example, P Townsend's The Last Refuge, op cit, 1962.
 134. Crowther, 1981, page 66.
 135. See for example, N Rose, 1978, op cit.
 136. C S Loch, How to Help, op cit, 1883.
 137. The poor were not to be granted a right to relief, on the contrary, this

- was thought to be the source of some considerable evil. Both Goschen in 1869 and Loch in 1883 were opposed to this means of conferring assistance. The key to the Charity Organisation Society's system of relief was that cases of distress were to be assisted on their merits. See How to Help, pages 17-19, 1883.
138. See H Bosanquet, The Strength of the People, 1902. "Perhaps the greatest obstacle to getting a sound public opinion on matters of social policy lies in the general ignoring of the fact that scientific principles are as much involved in them as in chemistry or architecture or any other of the arts of life." page 138, quoted in C Jones, 1979, op cit. See also, De Schweinitz, page 142, and Cormack, 1945, pages 91-93.
 139. See J Fido, 'The Charity Organisation Society and Social Casework in London, 1869-1900', 1977, op cit, page 224.
 140. C Jones, 1979, page 74, De Schweinitz, 1943, page 146.
 141. The term 'charitological' is American and is used by A. MacDonald, in his Bureau of Education publication, Abnormal Man, 1893. See also, Fido, 1977, op cit, page 227.
 142. A F Young and E T Ashton, British Social Work in the 19th Century, 1956, pages 87-89, B Bosanquet, Rich and Poor, 1898, page 271.
 143. Cormack, op cit, 1945, page 102.
 144. M Richmond, Social Diagnosis, 1917, page 35, see also, Cormack, 1945, pages 102-105.
 145. De Gerando, The Visitor of the Poor, 1833, op cit, although, T Chalmers, is often called the architect of Charity Organisation Society principles. See T Chalmers, On Charity, 1900 edition.
 146. W Chance, 1895, page 233.
 147. Under the Poor Law a plethora of regulations appeared determining the form and content of relief. The Poor Law was one of the major vehicles for a mass extension of delegated legislation in the 19th century. See for example, Chapter Three - the legislation of the social state - and, G Poggi, 'The Constitutional State in the 19th Century', Sociology, volume 11, 1977, and Poggi, The Development of the Modern State, 1978.
 148. Report of the Charity Organisation Society Special Committee on the Best Means of Dealing with Exceptional Distress, 1886, page xxi. See also, C S Loch, How to Help, 1895 edition, page 1.
In Harris, 1972, page 106.
 149. Loch, op cit, 1883, page 19.

150. See for example, Golding and Middleton, Images of Welfare, 1982, chapter 1.
151. Harris, op cit, 1972, page 107.
152. ibid, page 107.
153. Loch, op cit, 1883, page 12.
154. Fido, op cit, 1977, page 228.
155. See for example, J C Symons, Tactics for the Times: As Regards the Condition and Treatment of the Dangerous Classes, London, 1849.
156. See for example, A E Fink, Causes of Crime: Biological Theories in the USA, 1800-1915, USA, 1938, reprinted, 1962. Fink charts the changing discourse of social biology and social pathology during the 19th Century as it was applied to the study of criminality and poverty.
157. This individualistic approach was emphasised by Octavia Hill, see for example, De Schweinitz's discussion of her work, 1943, op cit, pages 147, 161.
158. C S Loch, 1883, op cit, page 17, see also, page 8.
159. ibid, page 11.
160. ibid, page 36.
161. Cormack, 1945, op cit, page 94. See also W Chance, The Better Administration of the Poor Laws, 1895, op cit.
162. See inter alia, Mishra, 1969, Crowther, 1981, Williams, 1981.
163. Despite the debate over the future of the Poor Laws in 1909 and the opposing reports of the Royal Commission, the problem of the Poor Law was hardly satisfactorily resolved until its eventual abolition in 1929, and its functions transferred to the Local Authority Public Assistance Committees. However, the last vestiges of the Poor Law were not formally removed until the National Assistance Act of 1948.
164. See for example, Hacking's discussion of 'Immature Science', in the work of Foucault. I Hacking, 'Michel Foucault's Immature Science', in NOUS, number 13, 1979. The early social sciences of philanthropy and charity and particularly of social pathology, were perhaps classic examples of these immature sciences whose political antecedents were all too visible within their discourse.
165. Cormack, 1945, page 111.
166. ibid, page 96.
167. Canon W Bury, Report to the 3rd Annual Report of the Local Government Board, 1873-4, quoted in De Schweinitz, pages 160-161. Similar perceptions of pauperism as a form of pathology were evident

In the USA, for as Arthur MacDonald put it, "The relation between crime, alcoholism and pauperism is so intimate - indeed an unmixt case of any one of them is the exception - that the consideration of one involves all." Abnormal Man, 1893, page 168. Others were willing to admit at least some influence to rather more environmental factors but still saw deficiencies of character as precipitating the sufferers themselves into the most abject forms of poverty. "The immediate cause of poverty may be deterioration of character the primary cause environment. Confusion arises from the fact that under exactly similar conditions some families are destitute and some not." quoting A G Warner, 'Notes on the Statistical Determination of the Causes of Poverty'. In *Ibid*, page 186.

168. O Hill, Homes of the London Poor, new edition, London, 1883, pages 55-56.

169. See Fido, 1977, page 209.

170. Charity Organisation Society Occasional Paper, What Workers Can Do for the Poor in Connection with the Charity Organisation Society, 1st series, number 9, 1893, pages 7 and 8.

171. See Fido, 1977, page 214. Much of this informs Donzelot's remark that such families as issue requests for assistance become candidates for statutory tutelage. "Any assistance which the Charity Organisation Society rendered was conditional on the applicants submitting to the processes of investigation on which the society insisted. Failure to comply could mean refusal to help." page 220. According to Fido, the Charity Organisation Society had been against wholesale home visiting, but as she continued, "Helen Bosanquet's knowledge of ... working class life did not prevent her assuming that the very fact of a person applying to the Charity Organisation Society for relief gave them carte blanche to visit at home." In this the Charity Organisation Society visitors were as presumptuous as the earlier statistically-minded social investigators. Their action systematised what Fraser has come to refer to as a "cultural assault on working class ways of life.", Fraser 1973, page 119.

Alternatively, as Robinson has put it, "when an application has been made for help, the receiver has a perfect right to know all the facts. At other times to inquire into a person's affairs is idle curiosity but when you are asked to interfere in them you have a right to know how they stand." A W Robinson, Charitable Relief, 1904, page 20.

172. J Harris, *op cit*, 1972, pages 106-7. Fido, page 214.

173. Fido, 1977, page 211.
174. Loch, 1883, op cit, quotes the Charity Organisation Society's ordinances on relief practice, page 127.
175. Fido, 1977, page 217.
176. Harris, 1972, page 107.
177. Fido, 1977, page 210, see also H Bosanquet, Rich and Poor, second edition, London, 1898, page 6.
178. Mrs Leon, 'The Assistance of School Children', Charity Organisation Society Occasional Papers, 1st series, number 45, 1894, quoted in Fido, 1977, page 214.
179. Robinson, Charitable Relief, 1904, page 19.
180. Fido, 1977, pages 217-8, Robinson, 1904, pages 36-43.
181. Fido, 1977, page 218.
182. See the discussion of confessional discourse in Hepworth and Turner, Confession: Studies in Deviance and Religion, RKP, 1983.
183. H L Woolcombe, 'Enquiry and Office Work', Charity Organisation Society Occasional Papers, 1st series, number 54, 1893, page 234, quoted in Fido, page 218.
184. See for example, the Webbs, The Prevention of Destitution, London, 1910, and Beveridge, Unemployment: A Problem of Industry, 1909, pages 192-3, 294.
185. Crowther, 1981, op cit, page 56. See also, Stedman-Jones discussing Charles Booth, Outcast London, pages 304-5. In her biography of Beveridge, Harris explains Beveridge's attitude towards the residualisation of the unfit in the new labour market, 1977, pages 120-121. See also, Stedman-Jones, 1971, pages 334-335 on Beveridge and the 'residuum'.
186. See above note 184, and also the Webbs, English Poor Law Policy, pages 297-303, 315-16 on the new preventative ethos of state social policy. De Schweinitz, 1943, pages 197-98, Williams, 1981, pages 107-128 and Beveridge, 1909, pages 192-3 also discuss this preventative social policy.
187. See the discussion of the Webbs proposals in The Prevention of Destitution in the following chapter.
188. Churchill, quoted in Jones and Novak, 'The State and Social Policy', in Corrigan (ed), 1979.
189. These new avenues of social promotion were opened up for the members of the respectable working class by the collective forms of mutual support developing in the latter decades of the 19th century.

Including the Friendly Societies, Cooperatives, Sick Clubs, and Savings Banks. Some of these institutions were related to places of employment and work place unions, but others not so, although each represented new trends in income deferment and a growing commitment to the ideology of saving.

190. De Schweinitz, 1943, page 160.
191. Stedman-Jones, 1971, page 314.
192. A Plea for State Boards of Charities and Corrections on the Pacific Coast, California, USA, 1887.
193. Ibid.
194. Ibid.
195. Ibid.
196. J Chamberlain, President of the Local Government Board, 'Circular Letter to Boards of Guardians', 15th March 1884, 16th Annual Report of the Local Government Board, 1886-87, pages 5-7. The Circular paved a way by which the workhouse might be circumvented by a scheme of public works. Later, the Unemployed Workman Act 1905, made a direct inroad into the Poor Law's domain by its establishment of an administrative structure outside of the Poor Law, by which relief funds, public works and labour exchanges - as well as labour colonies - were organised.
197. As Stedman-Jones has argued, the core of discipline at the heart of much which passes for social policy has long been overlooked in a traditional historiography preoccupied with progressive development. As we shall try to demonstrate in the following chapter, this core of discipline has remained firmly entrenched within social policy, particularly policies in respect of the poor and the unemployed (the working class). Indeed, as many have argued, in social policy it is perhaps possible to detect a unified form of discipline closely tied to the functioning of the capitalist labour market. See for example, Kay and Mott, Political Order and the Law of Labour, 1982. Kay and Mott emphasise the importance of recapturing our sense of this unitary order in the face of a considerable weight of sociological discourse describing the diversity of social order and hierarchy in the 20th century.
198. See for example, the processes of residualisation referred to earlier, note 185.
199. J Harris, 1977, pages 120-121. The disciplinary and penal sanctions contained within the Minority Report on the Poor Law, 1909, part 2, The Public Organisation of the Labour Market, and the principles of

compulsory treatment discussed by the Webbs in English Poor Law Policy, will be considered in the following chapter.

CHAPTER 5

THE DISCIPLINE OF SOCIAL POLICY (PART III):

TOWARDS A NEW POLITICS OF NEEDS.

"The whole technique of dealing with adults who are criminal, disorderly or merely 'workshy' is yet in the making." The Public Organisation of the Labour Market, page 71. Volume II of the Minority Report on the Poor Laws and the Relief of Distress. 1909.

"The socialist policy, so far from favouring the weak, favours the strong ... It is a process of conscious social selection by which the industrial residuum is naturally sifted and made manageable for some kinds of restorative, disciplinary, or, it may be, 'surgical treatment' ... In this way it not only favours the growth of the fittest within the group, but also the fittest group within the world competition of societies." Sidney Ball, 'The Moral Aspects of Socialism', Fabian Tract No. 72, (1896), quoted in Stedman-Jones, (1971) page 333.

"The destitute themselves and the manual working class next above them to whom destitution is on their relative comfort a black shadow into which they may anyday pass, now possess votes, and are steadily acquiring political power; so that the governing classes find themselves more and more pressed to grapple with the problem, on pain of seeing the task taken out of their hands, to fall, perhaps, into those of men who may be tempted to deal with it less in the real and highest interests of the community as a whole and in the long run, than for the immediate material benefit of the sufferers themselves." S. and B. Webb, The Prevention of Destitution, 1910, pages 5-6.

"We have heard too much lately about class hatred, and whilst this is being spread abroad it is bound to cause suspicion and unrest. The best way of relieving unemployment is to produce confidence - confidence between employer and employed and between all classes." An Address in Reply to the King's Speech, 9th December 1924. Earl Spencer, House of Lords Debates Vol. 60, Col. 18, (1924).

We have begun to find it necessary to dispute some of sociology's traditional preoccupations with the diversification of social order in the 20th century. What is not in dispute, however, are descriptions of the new complexity apparent within the relationships of capital, state and population (in particular, the working class). The new relations of employment, patterns of mobility and forms of state social policy evidently gave new substance to the social relations of the classes and the political institutions of society. However, as has been shown, the basic conditions of existence of the new social order, resting upon the state's facilitation of the conditions for the exploitation of labour power, remained fundamentally unchanged. For instance, the reappearance of explicitly penal sanctions amongst the supposedly 'welfare' measures and forms of social intervention are the most obvious evidence of the continuity of exploitative power relations within the new social order. Likewise, the disciplinary structure of the new strategy of preventative welfare is evident in the punitive exclusion from assistance, or the detention and confinement, of those considered vagrant, workshy or otherwise 'undeserving'.

While proponents of the sociological arguments proffering a view of the increasing diversity, stratification and hierarchy have typically supported their accounts with an analysis of the trends culminating in the new social order at the end of the 19th century, the present chapter is primarily concerned with the continuous core of discipline and coercion that has characterised relief strategies. It remains now only to describe the continuation of the disciplinary order at the heart of 'social policy' as we move into the 20th century and towards the 'Welfare State'.

There can be few more authoritative re-statements of this discipline at one of the great symbolic turning points of welfare strategy – The Royal Commission on the Poor Laws during 1905–1909 – than in James Davey's (Chief Inspector for the Poor Law Division of the L. G. B.) response to a question asked of him, during the 1909 Inquiry, concerning the principles of future poor relief. Adhering closely to the code of 1834, Davey replied that future poor relief should retain the spirit of less-eligibility which, for him, comprised.

first, ... the loss of personal reputation (what is understood by the stigma of pauperism; secondly, the loss of personal freedom which is secured by detention in a workhouse; and thirdly, the loss of political freedom by suffering disenfranchisement. [1]

However, as it transpired, neither the Majority nor the Minority reports of the 1909 Royal Commission advocated anything like a whole-hearted return to the principles of 1834. In turn, both reports argued the necessity for developing the treatment side of relief practice, although there was substantial disagreement about the organisation and delivery of these treatment facilities and their endorsement by forms of penalty and deterrence. As we shall see, these differences reflected major differences of opinion concerning the scope and direction of state welfare which led eventually to the splitting of the Royal Commission. However, to begin with, we must situate these fundamental differences regarding the future of welfare and treatment – and the place and function of forms of penal sanction – within the new and emerging welfare strategy.

It is necessary to complement the earlier account of the increasing sophistication of casework and treatment with a brief overview of the residualisation of a small class of the poor, vagrant, allegedly 'workshy' and 'refractory' and the intensification of the disciplinary procedures to which they were subjected. In adjusting our attention to such questions, it is remarkable how the unitary nature of the order of capitalist political economy, an order that often appears to have been lost in the analysis of the ways and means of social promotion, immediately reappears in the systems evolved by state administration to guarantee the conditions for the exploitation of labour.

LABOUR, DISCIPLINE AND COMPULSION

As previous chapters have shown, the very history of the Poor Law is a history of the organisation of labour discipline. This is something which becomes very explicit with the reformed Poor Law after 1834. But, as the century wore on, the apparent centrality of this discipline – a discipline whose ramification came

to affect the entire social field – to an increasingly promotional and preventative social policy, appears reduced. To reassert the prevailing disciplinary core of social policy, we must write the 'welfare sanctions' [2] back into their rightful place in the 'new social order' of the 20th century.

To address the question of the modernisation of the coercive and disciplinary core of social policy we need to return, briefly, to 1870, to what Williams has referred to as the second phase of Poor Law relief strategy. [3] 1870 saw the mobilisation of the campaign against out-door relief, the Longley strategy. The year marks an important turning point because, only the previous year, the famous Goschen Minute had sought to stake out the respective territories of the Poor Law and philanthropy. On the one side, philanthropy would cream off the better, more respectable or deserving, applicants for relief and attempt to rehabilitate or reform individuals and families. On the other side, the Poor Law was to receive the remaining, less 'deserving', cases and, through a mixture of discipline, intimidation and 'treatment', provide a sharp lesson in political economy and obligations to members of the working class. As explained earlier, both developments were complementary. The intensified severity of the Poor Law is only fully comprehensible in the light of the refinement of rehabilitative techniques by philanthropy which, in turn, legitimated the use of force against the residuum of 'undeserving poor'. [4]

Perhaps the most explicit examples of applications of this diversification of relief practice into punitive and rehabilitative forms concern the development of forms of casework 'therapy' by the C.O.S. and, for example, the L.G.B.'s experimentation with the Poplar Workhouse as an 'able-bodied only', 'Test Workhouse'. [5] Although it is argued that the Poplar Workhouse began as an experiment in deterrent forms of relief, it is hardly accurate to continue to refer to it as an 'experiment' for the example was followed in a number of other Poor Law Unions and, in Poplar at least, lasted for over 10 years. Even when the 'experiment' was discontinued the deterrent workhouse was replaced by a similar institution in the nearby Union of Kensington. [6]

Reviewing the 'deterrent workhouse' policy in his 1895 work The Better

Administration of the Poor Laws. William Chance offered an almost complete vindication of the C.O.S. policy which required that the Poor Law arrange itself so as to facilitate the rehabilitative endeavours of the charities. The explanation for this division of poor relief responsibilities was seldom so explicit, however, and, as in most of Chance's work, advocates of a rigorous Poor Law confined themselves to showing the advantages of strict adherence to 1834 and 'first principles'. In trying to dispel a number of, what he considered to be, typical objections to an increased utilisation of the workhouse test, Chance deployed quite a number of supportive arguments from the pages of recent L.G.B. Reports.

Regarding ... the recourse by other Boards of Guardians to the use of the Poplar workhouse as for the most part a temporary expedient, we regret that no great progress has as yet been made towards the permanent classification in separate establishments of the various classes of indoor paupers ... We attach the utmost importance to this improvement of the classification of indoor paupers, which we believe to be a necessary condition of the maintenance of that discipline which lies at the root of any effective administration of indoor relief. [7]

Subsequently, following a certain degree of progress in this area, the 13th Annual Report of the L.G.B., in 1883-84, was able to remark that the development of classification within the workhouse had improved administration no end, and that, "the removal of the sick to distinct buildings [made] it possible to restore due discipline among the able-bodied ... and so far from the improved structure of the new infirmaries and the more efficient treatment given in them encouraging abuse of these buildings, they have acted, it is believed, as a check upon malingering, by the order, control, and the close observation which the new mode of administration has involved." [8] Concluding his discussion of these questions, Chance confirms that "by means of the workhouse test alone can real destitution be discovered, and fraud, imposition and lying be defeated." [9]

De Schweinitz was equally clear (though for different reasons) about the character of the Poplar regime. It was, he remarked, no more and no less than "a penal regime - with long hours of work at stone breaking, oakum picking, wood-cutting and corn grinding." [10] The test workhouse had been especially recommended in Longley's report to the central authority as, "an

Institution set apart exclusively for the able-bodied where they could be subjected (to use Mr. Longley's words) to 'such a system of labour, discipline and restraint as shall be sufficient to outweigh, in the estimation of the inmates, the advantages which they enjoy.'" [11] Ultimately, of course, the objective was to establish "a stricter and more deterrent discipline." [12]

The issue of the test workhouse also raised the rather more vexed question of compulsory detention in the workhouse. [13] For, as an L.G.B. circular of 1871 had put it,

Much evil has arisen, and ... the discipline of the workhouse has been seriously impaired by the frequent exercise of the power which the inmates have hitherto possessed of discharging themselves from the workhouse at short and uncertain notice, claiming re-admission as might best suit their inclination and convenience. [14]

This supposed evil was, in part, remedied by statute during 1871 by the Pauper Inmates: Discharge and Regulation Act, further controls being made available to the workhouse authorities in 1882 by the Casual Poor Act. [15]

Even so, the regulation provided by these enactments proved insufficient to satisfy some contemporary commentators. Inspector Henley, for instance, voiced an opinion shared by many in C.O.S. in 1886.

The discharge of workhouse inmates is at present regulated by the provisions of 34 & 35 Vict., chapter cviii, s.4. For the words 'twenty-four hours', 'forty-eight hours', 'seventy-two hours' in that section, I would substitute the words 'seven days', 'fourteen days', 'twenty-one days'. There is a considerable and, I fear, increasing number of paupers who are in the habit of constantly going in and out of the workhouse, thereby giving a great deal of trouble to the officials, and causing a great amount of extra book-keeping. They are, for the most part, undeserving characters. I see no reason why it should not be made a condition of indoor relief that a person should not be entitled to claim his discharge under a week. [16]

Particular examples, it seems, could always be produced to substantiate the case for increased powers of compulsory detention. For our purposes they illustrate the problem of the deterrent workhouse.

At the workhouse of St. George's Union, Fulham Road, there have been 17,309 discharges and 17,381 admissions during the year. One man discharged himself 93 times but nearly always readmitted himself on the evening of his discharge. His only lengthened absence from

the workhouse was when he was undergoing 21 days imprisonment. I cannot but think that this is an abuse of Poor Law relief. [17]

In many respects, however, compulsory detention ran quite contrary to the underlying philosophy of the Poor Law. The essence of the Poor Law had been encapsulated in the salutary act of reflection and calculation by the pauper him or herself about the merits or drawbacks of entry into the workhouse. Nevertheless, gradually and for a variety of reasons – administrative simplification, rehabilitative and curative endeavours – and as explicit forms of penalty – then forms of compulsory commitment and detention began to make their appearance. Compulsory detention remained a problem within Poor Law discourse for some time to come. Indeed, the question became one of the issues upon which the Majority and Minority Reports of the Poor Law Commission differed quite markedly. In particular, the question of the introduction of a disciplinary labour colony for the poor and unemployed, as advocated in the Minority Report and by the Webbs, seemed to take the issue of 'compulsion' to its limits. [18]

The principal and most explicit objects of the proposed compulsory and disciplinary powers were more usually described as the 'vagrant', the 'incorrigible' and 'recalcitrant' – in short, the 'residuum' – those who, allegedly, were most incapable or most unwilling to support themselves or their families. [19] Even so, the majority of the concern about the unwarranted exercise of the powers of compulsory commitment within the workhouse and, later, over the introduction of a disciplinary and penal regime within the labour colony, stemmed from a concern about the compulsory confinement of those who were merely unemployed or poor rather than semi-criminal (to adopt Booth's terminology). Although advocating a range of specialist 'treatment' institutions plus labour colonies for 'industrial rehabilitation' and compulsory detention in a penal colony for the 'recalcitrant', the Webbs were firmly opposed to the exercise of compulsion in the case of those merely unemployed. ('Merely unemployed' could, however, become a highly fluctuating category, much like the famous 'genuine claimant' of more recent times.) In emphasising the re-organisation of the labour market, rather than a purely institutional solution to large scale unemployment, the views of the Webbs were

approximating very closely to those of Beveridge, who, during the last decade of the 19th had strongly supported the introduction of labour exchanges as the first moves towards rationalising the labour market. [20]

The labour colony, especially the penal labour colony, never did assume the prominence as an instrument of social policy that its most vociferous proponents had advocated. Even so, there were many proposals, around the turn of the century, for the adoption of some form of industrial labour or farm colony which was intended to serve both as an agency of remoralisation and rehabilitation and as a regime of discipline and punishment. [21]

In an obvious sense, the labour colony ideal synthesized important elements of labour discipline within pre-existing techniques for the maintenance of the poor, unemployed and under-employed. To combine less eligibility, relief work and the labour test and the rigours of workhouse detention would likely have produced something remarkably similar to the proposed labour colonies in any event. In this light, it is little surprise to find that, in Poplar, where the first able-bodied test workhouse had been established, a combination of factors led to the introduction of one of the first labour colony schemes. [22]

From a number of political persuasions, during the last two decades of the 19th century, there appeared a variety of arguments in favour of some variety of rural, farm or labour, colony designed to combat any number of real or imagined socio-economic problems: from rehabilitation to repression, from rural depopulation to physical deterioration. [23] It seems that the two Booths envisaged the most extensive labour colony schemes. General Booth's In Darkest England and the Way Out [24] comprised a large blueprint for a programme of progressive rehabilitation which took the downtrodden pauper, in stages, further away from the demoralising taint of the city and out into the regenerating air of the countryside. Indeed, the Salvation Army did go so far as to establish a farm colony at Hadleigh in Essex. [25]

Charles Booth's plan, on the other hand, was, as Williams has shown, entirely in keeping with Booth's own "moralistic problem definition" and consisted of the

massive proposal to segregate his entire class B (the very poor, casuals, and loafers) in some form of disciplinary and remedial labour colony. Presumably some more penal and punitive means of treatment was envisaged for Booth's class A (the demoralised, semi-criminal) but even so, Booth's intended plan of incarceration would have encompassed as much as 10 per cent of the potential working population. [26]

Around the same time, similar proposals were advanced by Alfred Marshall (in 1884) and Samuel Barnett (in 1885). Both employed a language that insisted that the camps were to be progressive, recuperative and rehabilitative. Above all, and irrespective of the circumstances in which people came to find their way into these camps, each implied that the camps were to be entered voluntarily. Of course, throughout the 19th century, entry to the workhouse had been almost entirely voluntary – although only in a purely formal sense. As Stedman-Jones noted, the same principle was equally true with respect to the labour colony.

State slavery was politically unacceptable. Instead, Booth's scheme, like Marshall's, was technically to be voluntary. The only form compulsion could assume would be that of making life otherwise impossible ... The casual poor would be forced to accept a condition of semi-servitude because the difficulty of finding a fresh opening in an ever-hardening world." [27]

The labour camp proposals raised precisely the same issues as did the question of compulsion and detention within the deterrent workhouse. The forms of direct administrative sanction and compulsion compromised the formal 'freedoms' which had characterised the Poor Law era and which stood as the basis of the Institution's particular brand of authority, the exchange of political and social rights for a share in subsistence. [28] However, with the introduction of compulsory powers of commitment to and detention within the workhouse, and the later proposals to extend such powers to the labour colony, this 'voluntary' basis to the authority of the institutional regime was fundamentally altered. The Webbs began to chart the increasing utilisation of the 'principle of compulsion', whether for purposes of treatment (broadly defined) or punishment since 1834. [29] Despite Beatrice Webb's reported 'approval' of the Salvation Army camp in Essex, the Webbs were, in general,

opposed to the inclusion of compulsory labour colonies for those merely unemployed, within a 'General Destitution Authority'. Nonetheless, the battle upon these questions was really joined within the deliberations of the Royal Commission on the Poor Laws and the Relief of Distress, established in 1905 as one of the final acts of the Conservative government of the day.

The debate on compulsion in the Poor Law institutions and in an associated range of deterrent and 'test' colonies, camps and institutions, became particularly focussed during the deliberations of the Royal Commission although, it is unnecessary to explore this in detail here for adequate accounts can be found elsewhere. [30] However, it is important to describe something of the opposing formulations of the role of discipline, detention and supervision and the specific elements of regulation and forms of sanction within the respective Majority and Minority Reports of the Royal Commission. Only Beatrice Webb served on the Royal Commission, but the debate which unfolded around it was soon defined as, "the Webbs versus the Poor Law". [31] On the Commission itself, the four signatories of the Minority Report were substantially outnumbered by the combined representatives of the Poor Law administration and the C.O.S.. Nevertheless, it is fair to say that history has tended to favour the Minority for, if nothing else, the Webbs certainly managed to have the last word.

It is now something of a commonplace to remark, prompted no doubt by Beatrice Webb's own admission, that the Majority and Minority Reports had a good deal more in common than dividing them. [32] Nonetheless, there are profound differences of principle and numerous practical disagreements regarding the form of alternative methods for the organisation and delivery of 'preventative' services which helped to polarise the two groups on the commission. Early on, Beatrice Webb had recorded in her diary C.S. Loch's anger at the way that, "the enquiry is drifting straight into the causes of destitution instead of being restricted to the narrower question of, granted, destitution is inevitable, how can we best prevent pauperism." [33] As Clarke has noted, it appeared to sympathetic contemporaries that the Webbs were engaged in no less a project than, "working towards a different conception of

the responsibility of the state in relation to poverty." [34] Significantly, however, both reports conformed fairly closely to existing informed social opinion in assuming, as Thane has suggested, "the existence of a ne'er do well class at the base of society," for whom punitive labour colonies or similar institutions would be required. [35]

The Webbs' involvement with the Royal Commission, alongside their extended analysis of and commentary upon its deliberations, might raise important questions about the 'objectivity' of their analytical approach – however significant their endorsement of the principles of 'preventative social policy' might turn out to be. Nonetheless, the Webbs' attempt to characterise the respective strands of Poor Law opinion does enable us to draw out the points of agreement and disagreement between the different socio-political groupings on the question of Poor Law reform. Allowing for the partiality of the Webbs' own account, however, it is extremely useful to have so authoritative^a statement of the state of Poor Law discourse. For, in a book published the year after the publication of the Minority Report, the Webbs attempted to extrapolate the present 'level of development' of the Poor Laws.

By describing what they referred to as the 'principles of 1907' the Webbs hoped to demonstrate that the Poor Law, despite the very best efforts, on occasion, of the L.G.B. had drifted far from the so-called principles of 1834. [36] For the Webbs, the new 'principles of 1907' comprised three elements which they termed: (i) the principle of curative treatment, (ii) the principle of compulsion, and (iii) the principle of universal provision. [37]

The Majority Report of 1909 did not address these principles directly although it was well aware of a number of fairly obvious contradictions within the Poor Law's operations, contradictions between principles and practice, rules and administration and rhetoric and reality. Yet, although the Report attempted to consider these issues, it is quite clear that it failed to go very far towards resolving them.

The Majority Report retained a strongly moralistic aetiology: "the causes of

distress are not only economic and industrial; in their origin and character they are largely moral." [38] It followed that the primary need was for corrective institutions and techniques which would exert their principle influence upon the morals of the poor. Thus, armed with a generic moral theory of the origins of distress, the Majority Report went on to recommend an equally general administrative response to the problem. They proposed a uniform system of Public Assistance Committees which would administer all relief and supervise the actions of all public and voluntary social service functions. Presumably reflecting the strong representation of C.O.S. personnel or supporters on the Royal Commission, it was envisaged that the voluntary and charitable welfare sector would continue to perform a major, even expanding, role within relief, or welfare, administration. In Fraser's words, "the Majority Report wished to make a swollen Poor Law into an all-purpose relief organisation." [39] Yet the Webbs were to continue to refer to the Majority Report's scheme as a proposal for a 'General Destitution Authority' and condemned the revival of the principle of deterrence (a new manifestation of the principle of 'less eligibility') within the Majority's report. [40]

The Webbs took particular exception to the fact that all the specialist institutions and responsibilities which had grown incrementally out from the workhouse were to be staffed and administered by, "officers of a single homogenous interchangeable service, deliberately focussing their attention upon the moral accompaniments assumed to be characteristic of destitute persons." [41] Writing in 1909 in the Sociological Review about the arguments of the Majority Report, Prof. B. Bosanquet commented that, "the majority proceed upon the principle that where there is a failure of social self-maintenance, there is a defect in the citizen character." [42]

The assumption of the existence of moral defects at the heart of destitution, allied with a uniform remedy of moral training in an atmosphere of 'less-eligibility' would, claimed the Webbs, inevitably mean that all the stigma of 19th century poor relief would be retained. Poor relief would, therefore, continue to deter precisely those whose needs for treatment and assistance were greatest. In addition, the basic division between private and public relief

agencies, stamped indelibly upon the Majority Report, would almost certainly perpetuate the ideology of the 'deserving' and 'undeserving', a feature that Loch had tried to eradicate from the C.O.S. philosophy over 20 years earlier.

Nonetheless the Majority were prepared to be quite candid in their consideration of this question.

An essential principle to be observed in connection with home assistance to the able-bodied is that it shall be in some way less agreeable than assistance given by the Voluntary Aid Committee. Unless the superiority of the assistance afforded by the Voluntary Aid Committee is in some way secured it is doubtful whether that committee will be able to collect voluntary subscriptions for the purpose of helping deserving cases of unemployment. Experience has again and again shown that the charitable public will not contribute to any extent towards a purpose for which they are also taxed or rated. It, therefore, follows that if, as is our desire, cases in the class we are considering should be chiefly dealt with by the Voluntary Aid Committee, it is necessary that the aid given by that committee should confer greater benefits, or have less onerous conditions attached to it than the assistance given by the Public Assistance Committee. [43]

The Webbs believed that 2 aspects of the Majority Report were fundamentally incompatible. On the one hand the majority had proposed a major extension of relief and 'treatment' within the basic administrative model of the Poor Law. Yet, on the other hand, the majority also envisaged the bolstering up and refinement of the deterrent principles of the 19th century Poor Law. The Webbs considered it inevitable that an authority which was to deal only with cases of 'real destitution' would place its premium upon limitation - limitation of the numbers resorting to its assistance. It could not purport to offer any 'treatment' with a realistic prospect of 'cure', for it would only receive cases as a very last resort, by which time they might be too far gone for social rehabilitation to be anything other than a palliative. [44]

To the Webbs, the incompatibility of the differing components of the Majority Report was compounded by the proposal to endow the new 'Destitution Authority' with extensive powers of compulsion and detention. Although they believed it unlikely that Parliament would consent to legislation that would, in effect, "make a man a pauper against his will", they also raised major practical and administrative reservations. [45] Whilst they thought that a case could be made for some restriction of personal liberty in the interests of effective curative

treatment. In general, they believed, "no power of compulsory segregation can be justified except in respect of individuals in which this personal defectiveness has been definitely ascertained and judicially certified." [46]

Further, the Webbs were to argue, no mere Destitution Authority would have the means to differentiate satisfactorily between those who were voluntarily or involuntarily idle or, without a specialist team of field workers, any proper means of recognising and assessing the 'needs' of families and individuals which those families and individuals did not articulate for themselves. Finally, the Webbs argued, it would be impossible to justify the extension of compulsory powers to any agency that sought to 'pauperise and degrade', rather than improve and assist, any persons who were unconvicted of any crime. [47]

Turning to the question of the compulsory detention of persons having 'voluntarily' entered the workhouse, the Webbs were willing to accept that, in this aspect of the Majority Report's proposals, a different set of issues were involved. As suggested earlier, Parliament had already seen fit to extend powers of limited detention to workhouse administrations. These powers were to be used, either as forms of discipline and punishment or, where it was considered to be in the best interests of the inmate to do so. Here too, however, the Webbs mounted a powerful argument against the arguments of the Majority Report - indeed, so sharp is their critique, that it is difficult to reconcile their argument here with their later advocacy on behalf of their own version of the penal labour establishment. Against the Majority's proposal, however, they argued,

Experience shows that, if those who need the shelter of the institution, or the care which it affords, believe that they will be liable to be detained against their will, many of them will simply not come in to be treated. Thus, compulsory detention is a natural and defective adjunct of a 'deterrent' Poor Law, because it scares people off but it is a fatal obstacle to the operation of a Poor Law which is intended to be curative and restorative. The very patients to whom the 'order for continuous treatment' would be most appropriate and most useful will refuse to come in. [48]

On the basis of this examination of the principles and the moral and administrative preoccupations of the signatories of the Majority Report, it is

hard to avoid agreeing with the Webbs. Suddenly and abruptly one finds oneself, almost by default, heading towards a modern rearticulation of the deterrent provisions of 1834. [49]

In framing their own 'progressive alternative', the Minority Report, the Webbs recounted the ever-increasing scale of administrative compulsion and regulation with which the Poor Law had become replete (and to which process they, ultimately, wished to contribute). They then turned to outline their own comprehensive proposals for the reorientation of relief strategy, the dismantling of the Poor Law and its replacement by a preventative infrastructure of specialist welfare services.

In the Minority Report the arguments against a primarily deterrent Poor Law were reiterated, the authors referred to the intrusion of powers of compulsory detention into the Poor Law, whereas, "the whole case for a deterrent workhouse was based on the freedom of the pauper to leave it as soon as he realised that its conditions were 'less eligible' than life outside." [50] In this connection, an argument advanced by the Departmental Committee on Vagrancy whose Report had appeared 3 years earlier was drawn upon for added weight.

The purely voluntary nature of the present system of admission into and discharge from the workhouse is a cardinal principle of the Poor Law; and to give magistrates the power to order the detention of adult persons in a workhouse might have an effect on the whole system of relief altogether out of proportion to the advantages which might be derived from it. [51]

Yet beyond this resort to 'cardinal principles' of the Poor Law as a means of opposing the further intensification of the regulations attaching to the conditions of subsistence of the working class, the Webbs were also concerned about the arbitrary character of the powers to be conferred upon the workhouse administrations, to say nothing of their almost completely unsupervised exercise. [52] Such objections were further compounded by the crude, repressive, unscientific and largely unproductive applications to which the authority and powers, conferred upon workhouse personnel by the new regulations, were put. The Minority Report was, therefore, not merely attacking

the workhouse regime and the disciplinary character of its administration for. It was equally critical of workhouse personnel, their lack of training and the conditions under which they worked.

No-one acquainted with the administration of prisons, or reformatories or foreign penal colonies will under-rate the difficulty of securing for the institution officers with the requisite characteristics for making discipline curative and reformatory. The whole technique of dealing with adults who are criminal, disorderly or merely 'workshy' is yet in the making. Boards of Guardians and their officials are not only deficient in this technique; they have not the remotest idea that any special qualification or training is necessary. Any man or woman, if a disciplinarian, is good enough as Labour Master or Labour Mistress. Any Superintendant who 'tests men out' is considered a success. Hence the note of brutality and arbitrariness which is so noticeable in these institutions. It is not that the Superintendant or Labour Master is by nature brutal or even unkind. But the constant association with disorderly and defective characters with no kind of training either in the science or art of dealing with them, forces him to rely on a rigorous and unbending discipline." [53]

Building upon the premise, elaborated earlier, that, accepting that the primary objective of a deterrent 'destitution authority' was the limitation of the incidence of pauperism, then a disciplinary institution (whether workhouse or labour colony) would, in the absence of broad powers of commitment, simply fail to draw any inmates. It would be, as the Webbs put it, "as mischievous as a plan for emptying our prisons by simultaneously increasing their rigour and opening their doors." [54] The 'destitution authority' should not "reduce its expenses by shirking its responsibilities". It was far better, the Webbs believed, that the vagrant be under the care and supervision of the institution than eking out a bare living at the cost of society as a whole.

The able-bodied who shun our workhouse are supposed to be face to face with the alternatives of working or starving. As a matter of fact our social organisation is still far too loose to narrow their choice to any such extent. They can beg; they can steal; they can sponge; they can practice or exploit prostitution; they can combine the predatory life with the parasitic by shifts of all sorts; and the tax-payer has to pay for policemen and prisons what he has saved on workhouses and relieving officers, besides supporting the loafer, directly or indirectly, just as much as he did before. [55]

Despite the Webbs' pointed criticism of the deterrent Poor Law and the principles upon which the Majority Report was based, however, it is not too difficult to see how their own analysis and proposals contributed to a strategy

of discipline and 'residualisation' of the poorest – the precise nature of which they had deplored in the work of others. While they, quite positively, exposed the modernised strategy of 'less eligibility' for what it was – a scheme for under-writing the equally ineligible conditions of employment in manufacturing industry – there were still significant problems with their own proposals. Their eloquent advocacy which declared that, "before condemning a man for being 'workshy', we should inquire what are the conditions of the work he has learnt to be shy of." [56] in practice, fell far short of challenging the existing distribution of 'life chances' consolidated by the late Victorian class structure. Worse still, the Webbs' own fairly limited formulation did little to attack the prominent assumptions about the character or moral debasement of the poorest and most destitute held by their contemporaries. Thus the whole of even the Webbs most progressive writing was dogged by the spectre of the 'residuum', a class with few morals and even less will-power thought likely to over-run the resources of even the most minutely improved scheme of relief.

At the heart of the Webbs' social philosophy there lurked a moralistic preoccupation with respect to the proper conduct of life, a preoccupation which informed their attempts to reorganise relief and welfare strategies. Although acknowledging that the poor, deterred from entering the workhouse, would beg, steal and sponge in order to avoid starvation, and that this constituted, in the circumstances, a reasonable option for them to take, such, essentially pragmatic, conclusions were seldom reflected in their proposed remedies. As a result, within the context of their suggestions for the national reorganisation of the labour market, their proposals for the relief of the problems of poverty continued to emphasise individual 'treatment' and, in the more 'difficult' cases (presumably, to adopt their own argument, those in the most depressed and degraded condition and, therefore, in the greatest need), to recommend an even more intensive form of penal discipline. [57] In short, a new series of social divisions was being written into the functioning of the welfare institutions.

The Webbs were advocating a combination of welfare strategies aimed at the remoralisation of the mass – a direct consequence of which was the fact that

the residualisation of the poorest would become ever more pronounced. [58] What is more, the Webbs compounded the problem of marginalisation by recommending the intensification of that discipline to which the poorest were most subjected. Furthermore, this was despite of the fact that their own argument had suggested that such an organisation of disciplinary measures would render any system of rehabilitation and treatment somewhat self-defeating. [59] At times it becomes very difficult to reconcile the Webbs' criticisms of the principles and practice of a 'general destitution authority' with some of the more severe aspects of their own proposals.

The Webbs appear to have rejected the generalised repressive strategy of the Poor Law toute court but to have retained selective elements of its disciplinary technique within a new constellation of administrative and regulatory powers which no longer drew their force from the pressure of economic circumstance but, more commonly, from statutory authority. All this becomes more apparent when we begin to conclude our analysis of the Webbs' opposition to the thinking behind the Majority Report and move on to consider their own concrete proposals.

In completing their refutation of the Majority Report's assumptions and proposals, the Webbs reiterated the main points of their argument against the 'general destitution authority', which they saw lurking within the Majority's proposals, and then turned to confront the 'universal desire' of the Metropolitan Guardians for the extension of the 'panacea' of increased compulsory powers. The Webbs believed an extension of compulsory powers could not augment the operation of a 'destitution authority'. They believed that the discovery of 'destitution' is "the only business of a Destitution Authority ... [and] having discovered a man is really destitute, what right has the Destitution Authority to punish him ?" [60] Whereas, the only effect of compulsory powers would be (and here the Webbs again reveal their own divisions and discriminations) to,

keep these wastrels and 'cadgers' off the rates - at the cost of leaving them to roam about at large and indulge in their expensive and demoralising parasitism, a danger to property and the public and a perpetual trouble to the Police. [61]

For the Webbs there was no need for such exceptional powers within the Poor Law. They considered the prisons an adequate receptacle for those requiring maintenance, detention and a certain degree of correction.

It is useless for the Destitution Authority to run a penal establishment for the refractory and 'sturdy rogue' unless it also has the power of taking persons up and putting them there. But why, unless we can invent something better than a mere destitution authority, should we take this function out of the hands of the Police and Prison Authorities. [62]

Nevertheless, precisely 230 pages later in their report, in the midst of a whole host of proposals to secure the preventative orientation of future relief policies, the Webbs (strictly, the Minority Poor Law Commissioners) appear to advocate precisely that.

EFFICIENCY AND THE PREVENTION OF DESTITUTION

The Webbs own proposals, defined in specific policy terms and 'firmed up' for the Minority Report, were the product of a long association with analyses of destitution, state administration and critical reflection on the Poor Laws. This 'reflection' did not cease with the production of the Report in 1909. On the contrary, in 1910 and 1911, two further books appeared, written jointly by the Webbs, and covering questions of destitution, relief administration and Poor Law policy, in which the Webbs reiterated, expanded and defended their arguments. The first book was a review of developments in English Poor Law policy up to and including the debate around the 1909 Royal Commission. In many respects the book was a forerunner to the Webbs later and more comprehensive volumes on English Poor Law History. [63]

The second work, The Prevention of Destitution, published in 1910, outlined a kind of bold 'agenda for action' for the new preventative ethos that the Webbs hoped would replace the older repressive morality of the Poor Law. The Prevention of Destitution also marked the positive new direction taken up by the

recently renamed 'National Committee for the Prevention of Destitution', one of the most immediate results of the Webbs' 'plunge into propaganda' on behalf of the recommendations of the Minority Report in 1909. [64]

Yet despite the fact that The Prevention of Destitution represented the more liberal and 'progressive' wings of socio-political opinion of the time, its fairly uncompromising moral tone (which Beatrice Webb was to describe as 'non-controversial' [65]), provided a firm basis from which the preventative impulse of contemporary reformist thinking could infuse the oft-thwarted National Efficiency lobby with new substance and practical direction. Thus, as well as a lobbying agenda for the Webbs' propagandist efforts after 1909, The Prevention of Destitution served, according to Beatrice Webb, as a 'text-book' for practical reformers. Unfortunately, those very attitudes which the The Prevention of Destitution sought to inculcate within civil society, proved a fertile soil for the imperialist doctrines of National Efficiency, fuelling the search for remedies for the national decline and, ultimately, helping legitimate a host of disciplinary measures which, looking to improve the efficiency of capital and labour alike, sought to bind the working class interest in welfare with the economic interests of national and imperial capitalism.

Indeed, in packaging their social remedies for the nation's consideration, the Webbs had a dire warning for the governing classes.

Our growing consciousness of the stress of international competition is reminding us that unless we do take the necessary steps to rid ourselves of this disease [i.e. destitution] we shall fall still more behind and eventually succumb before younger and more energetic rivals. And there is a third ground of urgency. The destitute themselves and the manual working class next above them to whom destitution is on their relative comfort a black shadow into which they may anyday pass, now possess votes, and are steadily acquiring political power; so that the governing classes find themselves more and more pressed to grapple with the problem, on pain of seeing the task taken out of their hands, to fall, perhaps, into those of men who may be tempted to deal with it less in the real and highest interests of the community as a whole and in the long run, than for the immediate material benefit of the sufferers themselves. [66]

However, we cannot fully appreciate the preventative, disciplinary and imperialist dimensions of the Webbs' agenda for social reform without giving

some consideration to the more detailed and practical proposals upon which it rested.

The Minority Report took as its starting point the fact that, "there are today . . . more destitute persons being maintained at public expense outside the Poor Law than inside its scope." [67] This prompted the observation that the Poor Law had, in a sense, outgrown itself in a number of respects. The Webbs were keen to see the break-up of the formal and restrictive mould of the Poor Law which had hampered the development of more progressive welfare and relief policies. They favoured the specialisation of relief policies as part of a preventative reorientation of relief practice. Paradoxically, such specialisation ultimately only confirmed a negative, residual and functional, orientation within social policy, anchoring perceptions of social welfare (as a form of treatment or intervention) almost exclusively to the pathologies of the social sphere and, in turn, to the failings of individuals. However, to the Webbs, any policy which offered an alternative to the repressive and confining model of Poor Law administration is likely to have marked an advance. "The Minority Report finds, at the stage to which English local government has now attained, absolutely no need for a Poor Law authority, or for any policy of 'relieving' destitution on any principles whatsoever." [68]

The direction of the changes, urged by the Webbs, conformed to the pattern of incremental development that had produced those de facto 'principles of 1907' extrapolated earlier by the Webbs: curative treatment, compulsion and universal provision. Yet the force of 'prevention' stood as the focal point of these three principles as espoused by the Webbs. [69]

The new machinery for putting these principles into practice was to emerge from those previously ancillary services and authorities which had grown up around the Poor Law. In future there was to be the (local) Education Authority, the (local) Health Authority, the (local) Lunacy Authority, the (local) Pensions Authority and, perhaps most significant of all, the (local and national) Unemployment Authority and the development of a national system of Labour Exchanges. [70] These were the forms of administrative demarcation

that were to help the Webbs precipitate the 'break-up' of the Poor Law. In keeping with the 'principles of 1909' the new 'services' were to have ameliorative, compensatory and even curative functions. they were to have a universal scope of application. and they were to have compulsory powers. [71]

Such a conferment of compulsory powers is of no small significance for an analysis of the statutory reconstitution of social relations. but for our immediate purpose. the solitary 'national' administration amongst the Webbs other. predominantly 'local'. administrations demands special attention. Partly because its policy focus lay upon the unemployed, or under-employed, able-bodied labourer – the same focus as the Poor Law – and thereby entailed the most penal of sanctions. and partly because the National Labour Exchange scheme contained. like the early Poor Law. a large area of purely formal voluntarism. this policy area involved the most obvious and explicit forms of social discipline. [72] For these reasons it must constitute the central feature of our examination of the Webbs' strategy. just as it constituted the central feature of their own proposals.

Amongst the battery of local administrations which were to provide forms of treatment for specific areas of social life. the National Unemployment Authority and Labour Exchange stand out as the solitary policy measures addressing themselves to the question of the able-bodied adult. Perhaps then. it is for this reason that the preventative effort embodied in the administration of the Unemployment Authority is of a different nature to that envisaged for the other 'treatment centred' agencies. The strategy of prevention sought to avoid conditions of neglect. poverty in old age. ill-health and illiteracy. and concentrate its restorative treatment upon those who remained within certain forms of destitution. However. in the case of unemployment. although it was hoped that public 'intervention' in the labour market and the establishment of a system of labour exchanges might lessen the occurrence of unemployment. (although unemployment was still considered as an important relocalational feature within a labour market) for the condition of unemployment itself. considered as an individual phenomenon. little by way of prevention appears to

characterise the policies to be adopted by the National Authority. Rather, in individual cases of unemployment, the treatment envisaged was to take a particularly disciplinary form – indeed, a form remarkably consistent with the earlier deterrent practices of the Poor Law – although now, for the Webbs, somewhat moderated and ‘socialised’.

It was, therefore, a “disciplinary supervision ... a more humane, as well as more effective ‘deterrence;’” that the Webbs had in mind for the unemployed. [73] The policy was preventative in a national sense for it intervened directly in the labour market while, at the individual level, social discipline was the principle ‘treatment’ on offer. For these reasons, then, the policy is more readily understood in terms of deterrence than in terms of prevention and welfare. [74]

Such policy imperatives translated fairly straightforwardly into the dual emphases within the Webbs’ supposed solution to the problems of unemployment in the form of the National Authority for unemployment.

The Minority Commissioners believe that the new National Authority for Unemployment of which we may detect the beginnings in the National Labour Exchange, will be able to ‘deter’ men from becoming unemployed not only by actually preventing many unnecessary breaches in continuity in employment (equalising aggregate demand, ... decasualisation etc.) but also by putting the necessary pressure on the will of those who are ‘born tired’ or who have become ‘unemployable’ either to accept and retain the situations that will be definitely offered to them, or else submit themselves to disciplinary training, with the Detention Colony in the background. [75]

If there lingers any doubt about the precise antecedents of this two-sided imposition of discipline which, in any event, would cut out a good deal of the intensive investigatory work which accompanied the exercise of discretion in previous philanthropic relief practice, the Webbs expanded their proposal.

If we had an Unemployment Authority responsible for either finding a man a job or placing him in training, we could for the first time strictly enforce upon every man and woman who were, as a matter of fact, failing to maintain themselves and their dependants, the obligation to make use of this organ of the state ... It would be unnecessary to inquire why he was out of work ... he would simply be required to be at the Labour Exchange where he would either be provided with a job or found the means of improving his working capacity while he was waiting for a job. If it were discovered by actual observation of the

man's present behaviour that there was a grave moral defect not otherwise remediable, he would have to submit himself, in a detention colony, to a treatment which would be at once curative and deterrent in the old Poor Law sense." [76]

The Webbs, in seeing the Labour Exchange as a part of a deterrent strategy of social provision, took a noticeably harsher line than many at the time, including Beveridge who, in 1909, argued strongly against the proposal to organise the Labour Exchanges on a compulsory and directive basis. [77] Along with a number of other advocates of the Minority Report, the Webbs argued that the system of Labour Exchanges would be unworkable without some forms of compulsion. They had in mind the disciplinary compulsion afforded by the threat to commit the more 'reluctant' of the unemployed to the labour colony. This 'extreme' use of compulsory powers was rejected by many contemporaries although, in the insurantal scheme which eventually emerged, administrative sanctions, in the form of conditions of disentitlement, were well to the fore. As Harris has explained, in an attempt to present Beveridge's argument against the advocates of compulsion, "Labour Exchanges and Insurance were [seen as] complementary to each other, since an exchange could test the authenticity of unemployment. Whilst insurance payments would provide an incentive to register at an Exchange." [78]

We find, therefore, that despite the differences of emphasis and direction within the different sets of proposals for dealing with the problem of unemployment, based on or around the new National Labour Exchange, the Webbs, Beveridge, Churchill, the Fabian Intellectuals and the progressive reformers considered as a whole, all tended to favour the application of compulsory powers against some or all of the unemployed. [79]

In 1900, Pigou, for one, had advanced the intellectual justification for this attitude. [80] Dire though his warning may have been, it was far from being uncommon. Such attitudes tended, to serve as the benchmark to all considerations of the practical side of policy making as undertaken by the Webbs, Beveridge and Churchill - excluding, that is, those labour representatives to the Poor Law Commission whom Beatrice Webb records as having argued for the payment of unemployment benefits with no conditions

Imposed by the state. [81]

The proposals of the Webbs and the Minority Report, adopting some of Beveridge's ideas – especially concerning the National Labour Exchange [82] – are interesting for a number of reasons. The arguments favouring of the National Labour Exchanges synthesized many of the concerns which had preoccupied relief administrators throughout the 19th century. In an obvious sense, the Labour Exchange dealt directly with the problem of the able bodied labourer, the precise object of virtually all disciplinary technique under the Poor Law. Yet the Labour Exchange met this 'troublesome object', the unemployed man, in a very flexible relationship. The Labour Exchange (accompanied by a range of compulsory powers and the sanction of disentitlement) could quite effectively discriminate between applicants for benefits according to a range of subtle criteria. Many of these criteria appeared to rest upon apparently 'moral' foundations thus, those deemed 'virtuous', 'deserving' and in 'genuine' pursuit of employment might gain assistance, while others might find themselves penalised. Given such a comprehensive series of functions, the Labour Exchange would, of necessity, encounter and need to find a solution for, that figure which had so troubled 19th century relief administrators and policemen alike, namely, the 'vagrant'.

For the early decades of the 20th century, the vagrant came to occupy a similar position in relation to morality and the social order as, 50 years earlier, had been occupied by the pauper. [83] One can admit that the vagrant inhabited an entirely new set of social relations, based upon an industrial and increasingly nationalised labour market and economy, although still claim that the vagrant performed a similar ideological function. In its 'ideological space', the figure and imputed character of the vagrant legitimated the intensification of disciplinary techniques within the policy measures for dealing with poverty and unemployment and, at the same time, helped maintain the structure of incentives and sanctions for the rest of the workers, employed and unemployed, on the labour market.

However, as Crowther, echoing the findings of Beveridge and the Webbs, has

shown, the correlation between high levels of unemployment and high levels of recorded vagrancy is very strong, thus supporting the inference that the great majority of these 'vagrants' were, in fact, in search of work. [84] But this piece of information, even had it been available, unsullied by the ideological preoccupations of the age, would have made the relief administrator's task of discrimination no easier. A disciplinary regime would have deterred all but the really needy; the really needy would, on the other hand, have hardly been helped by such a regime. The Minority Report hit the nail squarely upon the head:

So long as the workman in search of a job has to wander, it is impossible to distinguish between him and the professional vagrant. [85]

The, almost 'automatic', operation of the National Labour Exchange was thought to hold a solution to the relief administrator's problem. Vagrancy could be eliminated at a stroke, compulsory notification of vacancies, compulsory registration of the unemployed, and new technology in the shape of the telephone, would do away with the necessity for the 'search' for work. The organisation of future relief and unemployment policies would henceforth assume a rather systematic character as assistance, rehabilitation and training policies were erected around the imperatives of the market economy, 'dovetailing' the transition between occupations or seeking to 'regularise' the national demand for labour. [86]

This final characteristic of the system of labour exchanges, their capacity to assist the advance of the nationalisation of the labour market, began to assume the character of that institution which the Minority Report had referred to, only half correctly, as a huge 'human sorting house' for labour. [87]

The Minority Report and the Webbs were only half accurate in their description for the National Labour Exchange, the redistributive arm of the proposed National Unemployment Authority (later, the Ministry of Labour), would indeed be a huge sorting house, despatching individuals to where their labour was most urgently required yet, to be specific, this was labour power or, working capacities which were being so distributed.

Through the state administered 'sorting house' of labour power, the subordination of labour power to the imperatives of capitalist planning was further enhanced while, on the other hand, the state's reconstitution of the social relations of the working class implied, at the same time, its assumption of a certain responsibility for the 'needs' of labour. Although, perhaps this aspect is rather more apparent in the works of Beveridge and Churchill than in those of the Webbs. [88]

As the apex of a system of relief administration that promised so much, it is small wonder that the system of labour exchanges raised so many expectations. Indeed, a system which promised to reduce the enduring problem of relief distribution to a simple administrative decision, yet combining so synthetically the recycling of labour power, [89] the detection of needs, the deterrence of imposture and the punishment or treatment of the 'disreputable' or 'unfit', was bound to appear attractive. [90] Henceforth, the man found wandering would be under a duty to,

report himself to the nearest branch of the National Labour Exchange, where he would find, without fail, either opportunity of working or else [other] suitable provision. If this were done it would be possible to make all the minor offences of vagrancy ... occasions for instant and invariable commitment by the Justices, not for short sentences to the ordinary prison, which experience shows to be useless, but to one or other of the reformatory Detention Colonies which must form an integral part of the system of provision. [91]

In this way, all debate about the most effective operation of the Labour Exchange was qualified by the near universal belief in the existence of a 'residuum' of the idle, semi-criminal and unfit at the base of society, an existence that the successful operation of the labour exchange system would make increasingly apparent. [92]

We have to face the fact that, make what arrangements we will, there will be, at all times and under any organisation of society, a residuum of men who will be found in distress from want of employment ... though the individuals may come and go, a residuum will always be there. [93]

Based upon their existing experiences of relief administration, the Minority Commissioners felt it reasonable to assume that this unemployed residuum

would contain all manner of strange characters. Such as:

Individuals of defective will, intelligence or training; of dissolute habits or irregularities of character; or of chronically weak physical health; together with all sorts of industrial 'misfits' and intermingled among them all, the constitutionally vagabond or 'workshy'. [94]

Such a series of characteristics described the (male) 'residuum' for contemporary social thinkers. [95] This distribution of characteristics helped give coherence to a range of seemingly inconsistent views that suggested, on the one hand, that the 'residuum' formed a 'class' and, on the other, that they were no more than a conglomeration of defective individuals. The arguments which presented the 'residuum' as a 'class' tended to advocate a fairly uniform response – usually one of generalised deterrence – whereas, the idea that the 'residuum' was but a mass of individuals was supported by a wealth of essentially socio-pathological studies of behaviour and aetiology. Such work, accepting that the causes of under-employment and unemployment might well be 'structural', held firmly to the opinion that entry to the more debased condition of destitution resulted from a rather more individual series of handicaps, deficiencies or weaknesses, whether these be physical or moral.

Accepting this latter interpretation, it became possible to explain the existence of a residuum irrespective of the state of the economy. The whole investigative machinery set in motion by the 19th century relief agencies, the techniques constantly refined and systematised by the C.O.S. and the Poor Law Institutions in the last decades of the century substantially endorsed the individualisation of explanations of poverty and pauperism. This was hardly surprising, as Cormack has noted, the whole purpose and objective of relief workers was conceived in terms of individuals. Relief workers "all dealt with individuals ... and their basic function was to individualise." [96]

However, as has been suggested, in the 'age of prevention' something rather different was envisaged as a policy response to destitution. Although the Webbs were steadfast in their belief in the need for specialisation in 'treatments' for pauperism and destitution, where that pauperism and destitution

(or, under-employment and unemployment) was felt to derive from, "defective will, intelligence or training," then the 'specialist' response seemed to assume a very general (and familiar) form indeed. Thus, in the case of the 'residuum', a plainly individualist aetiology was retained, whilst remedies were sought in the imposition of forms of collective mass discipline. As Harris has shown, as forms of treatment, such disciplinary remedies had a very long history and frequently lent themselves to a variety of purposes. The disciplinary labour colonies – supposedly to receive the 'residuum' – could also be used to 'test the genuineness' of the unemployed as a whole. Once the principle of the disciplinary regime was accepted, the question of discrimination in administrative practice became crucial for determining which of the unemployed were to be referred to it. Nonetheless, some contemporary commentators were not averse to recommending the compulsory detention of large numbers of those who were merely unemployed in disciplinary labour colonies. [97]

The Webbs usually seemed willing to make exceptions in the case of those merely unemployed but deficient in no other respect (although they did tend to qualify this to some extent by the suggestion that large numbers of the unemployed actually were deficient in a number of other respects). Similarly, the Minority Poor Law Commissioners seemed to have had their sights firmly upon the supposedly 'immoral' members of the 'residuum' as likely candidates for their penal colonies. Even so, save the recourse to deterrence and the exercise of discipline throughout the mechanisms of welfare, there appears little by way of administrative criteria to enable a distinction to be made between those merely unemployed and the 'workshy' and/or 'residuum'. The administrative system, as we have seen, embodied an imbalance between generalised discipline and individualised pathology and would tend, as experience was to show, to produce its own doubly-defective characters. [98]

Policing the boundary between employment and forms of relief, rehabilitation and 'treatment', the administrative system would mobilise the contrived social relations of the labour market and help focus their disciplinary power upon those who failed to conform to its restrictive norms. Those who, by

circumstance or by condition, were least able to derive much advantage from the statutory regulation of the labour market, or who actively resisted its particular interventions, became the most immediate targets of its discipline.

This confrontation between a generalised discipline (deriving from the inequities inherent in the relation of capital and labour), intensified within the state's administrative regulation, and those who were unable to conform could only have one result. Certain social characteristics materialised as inherently immoral and pathological conditions and those individuals attributed with such symptoms were constituted as the proper objects of assessment, classification and correction.

The first requisite is that all persons in distress from unemployment should be provided with maintenance ... but this maintenance must be merely preliminary to attempting to solve the particularly 'human problem' that each man (sic) presents. What has to be discovered is why these particular individuals, out of the 12,000,000 whom employers have willingly engaged, have been left stranded and unemployed; and how their individual efficiency can be increased ... The first thing to be done is to 'test' them, ... probing their capacity so as to find out the points at which they are weak. [99]

Here, the Minority Report paused briefly to consider how physically, "out of condition," were so many of the men who formed the crowd of applicants at the Distress Committee, remarking on, "how enormously their working power could be improved by mere medical advice, hygienic regimen and physical training". Moral guidance and industrial and physical training, therefore, were the remedies proposed for this group of the relatively 'unemployable'. The weak, partially disabled and sick are thus singled out on the basis of their problematic relationship with the labour market and treated accordingly. All other relationships are then subordinated to this privileged one. Alternative accounts of the origins of the inequalities in physical and mental abilities are effectively marginalised. Implicitly, the means of training and educational improvement confirmed the essentially individual origins of these forms of physical and social pathology. Yet a still firmer line was proposed for those whose apparent inadequacies appeared to take a more obvious and directly moral form.

There are moral invalids as well as physical ones. The men who have lost situations through irregularity of conduct of one kind or another plainly need training in character, under the beneficent influence of

continuous order and discipline ... It is inevitable that the particular workers who find themselves the rejected of all employers should be capable of improvement ... which of us, indeed, is not capable of improvement by careful testing or training. [100]

In this way, the National Authority for dealing with the able-bodied, with its battery of training establishments geared to improvement and correction and its Labour Exchange, a mechanism for relating the state of the labour market to the forms of relief, came to constitute the 'Human Sorting House' advocated by the authors of the Minority Report. In future, national labour market policy would be co-ordinated by a state department which relayed the conditions of the labour market directly to the working class through its control over the mechanisms of relief.

The authority dealing with the able-bodied unemployed occupied a special position within the state and its disciplinary power was characteristically unique. Standing between the needs of the labour market and the needs of the unemployed, the disciplinary power of the Authority had a fourfold basis.

In a first sense, the Unemployment Authority's exercise of disciplinary power derived from the structural inequality between capital and labour within the labour market. Secondly, the Authority's exercise of power derived from its ability to exert differing degrees of pressure upon the unemployed, depending upon the wider supply of labour within the labour market. That is to say, the authority's capacity to translate industrial and economic policy goals into social administration and attune relief practice to the needs of industry. Thirdly, the authority's exercise of discipline derived from its battery of penalties and sanctions and its capacity to withhold relief subject to the unemployed agreeing to attend industrial training establishments or their compulsory commitment to detention colonies. Finally, the Authority's exercise of disciplinary power derived from its well-established apparatus of individualisation. In sum, therefore, the National Unemployment Authority, proposed by the authors of the Minority Report, offered a highly reflexive and graduated means for relating the specificities of the unemployed worker's situation to the generalised discipline of the labour market.

It is, however, just one of the advantages of training ... that it can

be indefinitely adjusted so as to apply to each ... the exact stimulus required to call out his faculties. With what we may call the 'industrial malingeringer' there will be other remedies. With the co-operation of the National Labour Exchange he can be given successive chances of employment; and, after a certain number of trials, his repeated return will be a cause for his judicial commitment to a Detention Colony. [101]

Where, in an earlier period, the 'juridico-discursive' prohibitions had organised a formal/legal repression of pauperism, begging and 'vagrancy' - sometimes in a way which might have appeared relatively 'blind' to factors of social class - at the same time as paying a formal lip-service (admittedly, sometimes this would have been very formal) to Common-Law freedoms, the new forms of disciplinary intervention exercised social relations of an altogether different order. [102] The new power was as explicit in its forms of discipline as it was in its social targets and political objectives. An era of prohibitions was being replaced by an era of political-economic calculation in which the objectives and methods of social administration were mutually intertwined, deriving their coherence from the political economy of British capitalism. [103] In the new sphere of disciplinary 'statutory intervention', problems of policy and their solutions, forms of knowledge, political objectives and administrative techniques, were all tightly bound together by the administrative imperatives of national economic policy making and the management of the labour market.

The state apparatus advocated by the Webbs entailed the establishment of a fundamental continuity between law and administration, between questions of 'right' and questions of policy, marking a major step towards the supersession of the 'free' relations of civil society. [104] Thus the Webbs' solution to the related problems of economic management and destitution, as expressed in the Minority Report of the Poor Law Commission, was to situate the social relations of the working class upon an almost exclusively disciplinary plane by instituting a separate and more punitive system of social regulation for the working class. The new code of regulations which policed the social relations of working class life was, in every sense, a second class justice. It required far more exacting standards of public and private behaviour but offered much less in the way of safeguards or redress. It intervened more frequently, in more detail, assuming more discretionary responsibilities but seldom providing more by way of help.

guidance or material resources. In short, the Webbs' 'plan' appears very much as an attempt to supervise and regulate the social existence of the working class, to modernise the discipline that had been embodied within the Poor Law and subsume it neatly beneath the imperatives of national industrial and economic policy.

Whilst, throughout the 19th century, the situation of the labourer had been, in the literal meaning of the term, 'less eligible', even the Poor Law had retained, to a degree, the principle of voluntarism – the vestige of a formal-legal freedom – which, in many respects, was a key to the very operation of the Poor Law. The Webbs proposed to change all this. The Webbs' policy proposals represented the first coherent national administrative strategy in which an object had been so precisely identified, surveyed in detail, classified, ranged up against a rigorous form of discipline and a battery of administrative sanctions, and calibrated with a series of socio-economic goals. Henceforth, the public administrative law of the working class would make a deep impression upon its social existence. [105]

Examination and testing ... convinces every man of his need for training ... Yet we need force no man to come in nor detain any unwilling subject. He has always the alternative of trying to earn his own living outside. The National Labour Exchange will, at any time, do its best to help him get a place. [106]

So far so good, a framework for a preventative policy in keeping with the Webbs' objections, outlined earlier, to a deterrent system of poor relief. However,

So long as he commits no crime, and neglects none of his social obligations; so long as he does not fail to get lodging, food and clothing for himself and his family; so long as his children are not found lacking medical attention when ill, or underfed at school; so long, indeed, as his family ask nor require any form of public assistance, he will be free to live as he likes. But directly any of these things happen, it will be a condition that the husband and the father, if certified as able-bodied, shall be in attendance at the Training Establishment to which he is assigned. If he is recalcitrant he will be judicially committed to a detention colony. [107]

It is rather difficult to square such a proposal with the Webbs' earlier objection to a penal Poor Law combining precisely such an arrangement of supervision,

discipline and compulsion. Indeed, the wide variety of conditions which serve as the occasion for disciplinary intervention – added to the subsidiary proposal that resistance to discipline will be a grounds for a further, more punitive, confinement – makes rather a mockery of the Webbs' earlier disavowal of the principles of deterrence. In its entirety, the Webbs' proposal envisaged nothing less than the erection of a disciplinary continuum wherein the acceptance of social norms and roles, the achievement of standards and the demonstration of social competences were all underwritten by the requirement of total compliance. Thus the 'law of the poor' imposed a rigid disciplinary regime indeed. It linked requests for assistance to a more intensive supervision whilst interpreting the need for assistance in a similar, although less favourable, light. Minimum standards were imposed, precisely upon those least able to achieve them, submission being always encouraged, on pain of judicial sanction.

The Webbs and the signatories of the Minority Report hoped that their regime of discipline, with its supervised standards and 'deterrent' sanctions, would offer enough by way of 'incentives' to galvanise the working class into industry. [108] Nevertheless, they fully appreciated that,

there will inevitably be hopeless cases ... men found to be so mentally defective – whether epileptic, feeble-minded or chronically inebriate ... as to be incapable of continuing in wage-earning occupation. These will be handed over to the Local Authority for the mentally defective. There will be other men, adjudged capable in body and mind of earning a livelihood but persistently neglecting or refusing to do so – whether as what we now know as professional vagrants, or as merely 'workshy' and recalcitrant to discipline. These men will remain on the hands of the National Authority dealing with the able-bodied; but they will leave the Free Training Establishment and be judicially committed to a detention training colony. [109]

As the authors of the Minority Report were anxious to make clear, the Detention Colony, "though it will be entered only upon conviction by a judicial authority, will not be a prison or a convict settlement." It was considered essential that men committed to such institutions, "should not be regarded as criminals." Rather, the Detention Authority was to remain administered by the National Authority for the Able-Bodied. In insisting upon this, the Minority Report was clinging to an ideal of rehabilitation which, despite overwhelming evidence,

[110] Its authors believed the Detention Colony could fulfill.

Inmates are sent there to be treated for, and if possible cured of, a morbid state of mind which makes them incapable of filling a useful place in the industrial world. [111]

Persons might leave Detention Colonies and be returned to ordinary Training Establishments, "on probation", but repeated failure or recalcitrance (the categories begin to merge), "would be criminal offences leading to sentences of penal servitude in a convict settlement." [112] In characteristic fashion, therefore, the disciplinary continuum seldom entails a diversion or overall relaxation in the exercise of disciplinary power but, rather, consists in the extension of forms of disciplinary intervention and the channelling of more subjects towards the most repressive end of the 'spectrum of control'. The supposedly 'rehabilitative' emphasis of the Webbs' National Administration rapidly gives way to a marked intensification of the disciplinary social relations of working class life by the simultaneous imposition of standards of competence in the fulfillment of social obligations and the punishment of failure or resistance.

All this was finally made quite clear in the Minority Report's summary of proposals. The working man would be free of the restraints of the National Authority, "so long as he abstained from crime (including vagrancy and mendicancy), and maintained himself and his family without receiving or needing Public Assistance in any form." On the other hand, compulsion would come into play the moment any working men, "fail to fulfill any of their social obligations, or are found houseless, or requiring Public Assistance for themselves or their families." Further still, men would be committed by Magistrates, "and compulsorily detained and kept to work," if convicted of, "any such offences as Vagrancy, Mendicancy, Neglect to maintain family or to apply for Public Assistance for their maintenance if destitute, repeated recalcitrancy or breach of discipline in a Training Establishment." [113]

In attempting to introduce a form of National Administration that would help regularise the national labour supply and underwrite the inequality inherent in the relationship between labour and capital in the market-place, the Webbs had

hoped to contrive a highly systematic and 'self-acting' administration simultaneously supplying assistance, incentives and sanctions and reallocating labour. Instead, they came up with a system which, far from being 'self-acting' relied, for a good deal of its disciplinary foundation, upon the series of institutions in which the destitute, workshy or recalcitrant were to be confined.

In effect, for all their administrative advances and their thoroughgoing refinement of the principles of the exercise of disciplinary forms of state intervention, the Webbs' proposals still rested to a large extent upon the exercise of prohibitions and deterrence.

As Harris has shown, however, the Webbs were working towards just such an essentially institutional means for the reformation of the working class at precisely the time that, "Beveridge was coming to the conclusion that such a method was unnecessary and that insurance rather than labour reformatories should be the administrative counterpart of a system of labour exchanges." [114] Quite significantly the Webbs had, apparently, only become convinced of the worth of the labour exchange as late as 1907 as a result of Beveridge's persuasion, even though this exchange was to feature as the very fulcrum of their National Authority for the Able-Bodied. [115]

As we have noted, the Webbs incorporated the National Labour Exchange within a highly coercive system of unemployment relief, believing that the exchanges were "unworkable without compulsion". [116] For Beveridge, Churchill and the Board of Trade, on the other hand, the 'voluntary' operation of the exchanges was to be the key to a system of insurance which promised to be rather more 'self-acting' than the system of compulsions envisaged by the Webbs. However, where Kay and Mott write of the Webbs, in 1909, "still trying to perpetuate the ontology of poverty in a rationalised system of state confinement of the recalcitrant," being, "simply by-passed by the new political-administrative forms of the Liberal Programme of 1906-11," they are only half right. [117]

Firstly, the Webbs had, in their disciplinary system of administration, begun to

Introduce the most sophisticated principles of political calculability and administrative process into the machinery of government. The disciplinary continuum they sought to establish was not entirely a mechanics of repression but a transitional point between the Poor Law and the age of political technique still, as yet, forthcoming. The Webblan scheme was a positive form of administration in its own right, refining forms of discipline and contributing to a new science of social administration which interwove new techniques, knowledges and objects, within the new social relations emerging between the classes and between society and the state.

Secondly, Beveridge too, as has been shown, entertained notions about the 'almost inevitable' existence of a 'residuum' at the base of society, while approving the utilisation of penal labour colonies for their reformation or, at least, containment, although, as Harris has shown, Beveridge always considered the Detention Colonies as, "the least important and most peripheral aspect of [his] scheme for the unemployed." [118]

Thus the crucial difference between the Webbs, and Beveridge and his allies, which Kay and Mott were correct to point out lies, not in the significance of the Labour Exchange or the Detention Colonies because all tended to subscribe to the adoption of essentially similar institutions. Further, by deduction, the key difference does not lie in the fact that, within the Webbs proposals, discipline was oriented exclusively towards the poorest whereas, for Beveridge and company, it was oriented towards the working class as a whole. The difference cannot properly be said to lie here because, as has already been demonstrated, the Webbs' own system of social administration would have substantially intensified the extent to which the social relations of ^{the} working class were experienced as essentially disciplinary.

By default, therefore, the crucial factor distinguishing the Webbs' system from that of Beveridge, Churchill and the Board of Trade, was Insurance. Hardly an earth-shattering conclusion, perhaps. Yet this was not simply insurance only and insofar as it intensified class discipline in the ways referred to above, nor insurance merely as it altered the focus of discipline to incorporate 'civil

society' (or what remained of it) as a whole. but, rather, it was insurance as it offered the promise of a self-acting mechanism for relating the economy, the labour market and social demands (subsistence) within an administrative technique that substituted policy (calculation, actuarial budgeting and procedure – means) for politics (confrontation, choice, responsibility and planning – ends).

MORALS, MATHEMATICS AND INSURANCE

Neither of the two Reports of the Poor Law Commission had recommended the introduction of compulsory Unemployment Insurance. According to Beveridge, both the Majority and Minority Groups appeared to favour a system of statutory subsidies to existing schemes of insurance operated by Trade Unions despite the fact that such a series of initiatives would completely fail to deal with the problem of the 'residuum' – the 'idle' and 'recalcitrant', the 'neglectful' and 'neglected' – the very group(s) that the Webbs' range of proposed institutions had been intended to accommodate. As Beveridge went on to point out, "very few trade unionists, and practically none from unions giving unemployment benefits, were found among the applicants to Distress Committees." [119]

As has been demonstrated, virtually all contributors to the debate on poverty and unemployment seemed to accept the existence of a 'residuum'. The problem was, therefore, the designing of a scheme addressing the needs of industry and labour which would, in addition, cater for the needs of the temporarily unemployed – the residue of 'transitional' unemployment which any economy must accept – and be a spur to the 'malingerer', (the new persona assuming all the onerous characteristics of the idle, thriftless and recalcitrant, and which the new discourse of social insurance had thrust to the fore). [120] All this might have seemed a tall order for the new form of disciplinary social policy. Perhaps so, although the parameters of the insurantal strategy had been admirably sketched out by Sir Hubert Llewellyn-Smith, in 1910. Problems of political order and sound social administration had been simply reconstituted as technical questions by the application of actuarial principles.

The crucial question from a practical point of view is therefore, whether it is possible to devise a scheme of insurance which, while nominally covering unemployment due to all causes other than those which can be definitely excluded, shall automatically discriminate as between the classes of unemployment for which insurance is or is not an appropriate remedy ... (1) The scheme must be compulsory; otherwise the bad personal risks against which we must always be on our guard would be certain to predominate ... (2) The scheme must be contributory, for only by exacting rigorously as a necessary qualification for benefit that a sufficient number of weeks' contributions shall have been paid by each recipient can we hope to put limits on the exceptionally bad risks. [121]

For their part, the Webbs took a poor view of the proposals for compulsory insurance, reserving some of their most critical language for its consideration. [122] Their criticisms included: the possible scale of the assumed problem of 'malingering', the potential cost of the scheme and, strangely, the principle of compulsion itself. [123] Yet, very significantly, it was the 'malingering question' which formed the major grounds for their objection to the proposals for compulsory insurance. In examining their objections it is particularly clear how far their own moral and individualist preoccupations and their own preference for measures of preventative treatment weighed heavily upon their objections to a system of compulsory national insurance. Interestingly, the old themes of 'social economy' reappear once more in their rejection of the insurance principle.

To the statesman, waste of money in an unnecessary public provision is of small importance compared with waste of 'character'. It is when we consider the effect of compulsory insurance on personal conduct and individual character that the instructed critic finds most reason for hesitation. It is no mere matter of theory that in a national system of compulsory insurance, obligatory on the whole wage-earning class, with substantial contributions from the employer, and a subvention from the government, the dangers of malingering are greatly increased ... In any national system of universally compulsory insurance with funds derived partly from other than the beneficiaries themselves, we have, as the combined result of the personal nature of the contribution, the unconditional 'right' which it gives to benefit, and the award of the benefit in the shape of a money payment, the utmost temptation, ... and an inevitable tendency to a great deal of malingering. [124]

While many contemporaries shared a similar concern with the Webbs about the dangers of malingering, not all were so doubtful as to whether the problem could not be countered within the bounds of a scheme of insurance. Many were keen to point out how insurance could help induce common mutual

Interests between employer and employee imposing. If only in a limited economic way, a certain degree of collaboration between the two groups. Churchill, however, as many commentators have pointed out, was willing to go much further, seeing the concept of social insurance as encapsulating, "the immediate future of democratic politics". [125] Churchill's views on this question run very close to those of L. von Stein, referred to in a previous chapter, for both men shared basic assumptions of the 'logic' of insurantal technique. The essence of these assumptions was the idea that if the working class could be given a 'stake' - either property (housing: Von Stein) or economic credits (insurance: Churchill) - in the nation then this would constitute a form of social investment in the institutions of society, enhancing the security of society and tempering the radicalism of the working class. [126] In any event, should the insurance system fail to tap the reservoir of altruism and common interests, or should workers seek to exploit the insurance scheme, there were to be safeguards, in that benefits would be kept sufficiently low in order to, "imply a sensible and even severe difference between being in work or out of work." [127]

Clarke has suggested that Churchill 'lost a battle' but 'won the war' over the introduction of National Insurance. The battle was lost insofar as few appeared to share Churchill's confidence that the disciplinary effects of the system of National Insurance could be safely left to the impersonal and automatic operation of the fund itself - to 'mathematics' rather than to 'morals and a corps of investigators', as Churchill tended to characterise the issue.

In 1909, Churchill had written, in support of a mathematical and actuarial conception of social discipline effected through a system of social insurance, that,

The best and truest safeguards are those which unite the self-interest of the individual with the interest of the fund. The spirit of the Insurance Scheme is not to weaken the impulse of self-preservation, but to strengthen it by affording the means of struggle, and the fear of running through benefits, or passing out of the Insurance Scheme altogether, must be constantly operative. [128]

Within the National Insurance scheme, as envisaged by Churchill, the

fraudulent, the malingerer, the workshy and the otherwise recalcitrant would effectively discipline themselves. The ideal of a (relatively) self-acting system of social discipline resting upon no human agency appeared close at hand. Through the institutions of the Labour Exchange, National Insurance and the national labour market, the workman was, in a sense, reinstated in a closely circumscribed zone of formal 'freedom' from which to determine his own socio-economic destiny. He alone would draw upon himself the respective benefits, incentives and sanctions of National Insurance and the labour market and, knowing the full consequences of his decisions, would make informed 'choices'. In this sense, and with an automated system of social discipline operating through the National Insurance scheme's mechanism of 'graduated disentanglement' (by which benefits were further withdrawn as the period of claiming continued, eventually to become completely exhausted), the workman was placed, as subject and object, at the centre of an 'automatic' series of benefits and sanctions, the precise combination of which he was himself, so Churchill argued, the principle author. [129]

Such a reorientation of the mechanisms of unemployment relief and of the relation between the labour market and the 'right' to welfare and subsistence would render the consequences of a host of 'abuses' all the more immediate in their impact upon the malingering workman. It was in this sense that, as Beveridge was to argue, "all tiding-over should become ultimately a function of industry: all relief should be educational." [130]

As the conditions for the receipt of relief came to be knowable by potential recipients – as well as the consequences of a prolonged reliance – the working class were given a kind of vicarious responsibility for their own self-discipline. Henceforth, the social relations of capitalist society were to be placed upon an intensely disciplinary basis – but a basis in which the working class themselves were no longer the relatively passive objects of a form of disciplinary power, but were now implicated as active subjects in the reproduction of that power itself.

Churchill hoped that his National Insurance scheme could be arranged so that

any man who was malingering (N.B. Churchill was not exactly clear on this point, a 'malingerer' would appear to have been almost any able-bodied unemployed workman out of work beyond a certain length of time) would gradually lose benefit while out of work or, alternatively, would find it costly and difficult to reinstate his entitlement on his return to work. [131]

The President of the Board of Trade was adamant that the most effectual operation of the National Insurance scheme could be achieved only by impersonal means, that disentitlement should proceed gradually and automatically and not as the abrupt and individual consequence of the exercise of judgement in personal investigation by officials.

I do not feel convinced that we are entitled to refuse benefit to a qualified man who loses his employment through drunkenness. He has paid his contributions; he has insured himself against the fact of unemployment, and I think it is arguable that his foresight should be rewarded irrespective of the cause for his dismissal, whether he lost his situation through his own habits of intemperance or through his employer's habits of intemperance. I do not like mixing up moralities and mathematics. [132]

For Churchill, then, the National Insurance scheme alone would provide the effective counterpart to industrial discipline, a graduated and cumulative disentitlement to benefit deriving from a prolonged bout of unemployment. "Clear, ruthless mathematical rules," would dictate the rate at which this process would advance and, in each case, it was assumed, an optimum point would be reached at which the 'malingerer' would be prodded into a more industrious existence. Churchill made this quite explicit when addressing the House of Commons in 1911.

a workman who will mangle in employment insurance ... is only drawing his benefit out at a period when he does not want it instead of keeping it for a period when he really will be unemployed. If he mangles, he mangles against himself. [133]

The reference group for the insurantal strategy as conceived by Churchill was the working population as a whole, and although each labourer would have his own particular idiosyncracies and characteristics which might defy the operation of a more personalised discipline, insurance worked in accordance with the average and the norm. The deviant and individual came to be knowable and

calculable and, therefore, capable of containment within the insurantal mechanisms through the manipulation of the statistical average and the application of the laws of probability. The insurantal strategy sought to inter-relate individuality and collectivity in such a way that normative regulations could be derived from, and defined in relation to, the entire insured population so that the foundations of discipline were, in a sense, entirely collective and, yet, the consequences of individual 'transgressions'. Equally, it was as individuals, that the working man (and his family) would encounter these disciplinary regulations.

The techniques of insurance prepared the ground for the partial transformation of social administration into a mathematical science in which all social relations, all deviance and differentiation, as well as all norms, became the property of an administrative discourse. In future, margins of deviance (malingering, unemployment, strikes, fraud and sickness) would be pre-planned, accommodated within administrative technique, no longer requiring the exercise of a special or 'ad hoc' disciplinary measure. Perhaps this confirms, once and for all, the positive and productive character of deviance as a relay for the exercise of disciplinary power. [134]

Churchill's 'fully automated' scheme of insurantal discipline would isolate specific factors of social deviance, render them as objects of administrative knowledge and technique, and manipulate them. In short, this conception of social discipline would render the forms of 'deviance' within the labour market entirely useful for they would be accommodated by the actuarial calculation and used to help define the parameters dictating the margins of assistance and penalty within the National Insurance scheme. For Churchill, this could all add up to a very flexible and relational system of discipline indeed. Thus,

A disposition to overindulge in alcohol, a hot temper, a bad manner, a capricious employer, a financially unsound employer, a new process in manufacture, a contraction in trade, are all alike factors in the risk ... We seek to substitute for the pressure of the forces of nature, operating by chance on individuals, the pressures of the laws of insurance, operating through averages with modifying and mitigating effects in individual cases. [135]

Yet, for all the neat synthesis of disciplinary and incentive effects promised by

the insurantial strategy. on closer examination the basis of the National Insurance scheme's form of social discipline appeared rather crude – certainly the insurantial techniques provided a highly subtle and reflexive vehicle for disciplinary effects. this is not in dispute, but the socio-political objectives upon which the insurantial techniques were founded were not too far removed from those aspired to by the designers of the New Poor Law. As a result, the elements of the insurantial technique: the graduated disentanglement, the individualisation of entitlements to benefits and the particularly low (below subsistence) level of these insurance benefits, tended to reproduce a number of the deterrent features of the 19th century Poor Law within the National Insurance scheme.

While the new insurantial discipline was clearly quite individual in its disciplinary effects, it lacked the highly personalised features of supervision, compulsion and control, rehabilitation and treatment that many, such as the Webbs, had long advocated. Churchill's vision of the insurantial techniques appeared to prioritise the specifically actuarial forms of mass fiscal hegemony over and above the disciplinary activities of the Labour Exchange. Thus the new discipline might have been quite effective in 'encouraging' the will to work but it was less actual help in securing these objectives. In precisely those cases of workmen whose 'attitude' to work was considered the most problematic the insurance system offered the least by way of specific compulsion or practical assistance.

Falling out through the 'net of entitlements' offered by the system of insurance, would be those that contemporaries saw as the least 'employable' or even wholly 'unemployable': the 'demoralised' and unfit and those considered the most hardened malingerers or most recalcitrant characters. Inevitably, such persons would be forced into theft, begging or vagrancy, or even onto the still 'less eligible' Poor Law, thus revealing, in the clearest possible way, the disciplinary core still present at the very centre of even the most 'positive and progressive', insurance-based, relief policies.

While the system of insurance proposed by Churchill employed highly effective

principles of social discipline at the level of populations – Indeed, the whole discourse of insurantal practice was heavily implicated within the emerging science of population characteristics, or demography, [136] – at the level of the individual, on the other hand, in relation to questions of rehabilitation, poverty and deviance, social insurance offered few answers. Nor did it possess any understanding of aetiology. The knowledge base of insurance was a macro-social science of population administration, and it performed this role very well but, confronted with the specificities of a particular case, it had no means of moderating its discipline to suit individual circumstance.

Originally, the Poor Law had not encouraged the cultivation of a knowledge of poverty. It was quite content to seek to foster a widespread knowledge of the severities of relief in an attempt to prevent the poor from seeking to apply for assistance, only the middle-classes were encouraged to contemplate the poor and, then, almost entirely in terms of deep moral reprobation. Similarly, insurance was not primarily concerned to develop knowledge of the poor, its frame of reference lay in the application of actuarial principles to population characteristics. In their own terms, both forms of social discipline sought to intensify the pressures of subsistence facing those displaced from the active labour market. By implication both systems sought to increase the likelihood that the unemployed and 'idle' would find work but, alone, neither went very far in supplying the means to make this possible. Lacking a knowledge of the poor as individuals, even, like Churchill, explicitly repudiating the idea that such information should be a concern of the insurance scheme at all, the administrators of social insurance would, themselves, be unable to discriminate – even though the whole system rested upon the de facto exclusion of a number of the 'most difficult' cases from the scheme. For those falling into the latter group, insurance was as much an irrelevance as a means to well-being as 'Self-Help' had been in the 1870's.

The absurdity was, of course, that it was precisely these most residual groups which had been the major focus of a great deal of official and unofficial concern regarding the consequences of pauperism and unemployment. Forms of social insurance could ease the burden of hardship falling upon particular

groups in particular circumstances but they were hardly 'preventative' in the full range of ways envisaged by the Webbs. [137] The Webbs were correct to make this criticism: lacking the discretion afforded by detailed scrutiny, an insurance system could never treat, cure or rehabilitate effectively. Neither could it prevent a number from constantly falling through its mesh of entitlements, eventually exhausting their right to benefit. On this very question, Beveridge and the Webbs were in accord, both saw the role of the Labour Exchange as the means by which the 'residuum' might be policed and prevented from wasting any accumulated entitlement to insurance benefits. In addition, by the simple fact that it came into contact with all the unemployment insurance applicants, the Labour Exchange could identify those claimants with special needs or problems, or those whose motivation to work appeared questionable. As Beveridge noted,

The Labour Exchange opens a way of 'dispauperisation' more humane, less costly and more effective than [deterrence] ... making the finding of work easy instead of merely making relief hard. [138]

Very significantly, however, Beveridge saw it necessary to expand upon this conception of the proper role of the Labour Exchange, adding that,

It is not suggested here that the whole principle of 'deterrence' can ever be dispensed with in regard to the able bodied. That principle serves not only to drive men to work but also to make personal provision for their unemployment, sickness, etc. It is, however, suggested that the Labour Exchange test may ultimately be made the basis of a relief system, whether or not it is supported also by a modified deterrence. [139]

While those excluded from the National Insurance scheme would be the groups which bore the brunt of its disciplinary force (they were, quite literally, the base upon which the whole scheme rested) many believed that the insurance scheme itself required a far more immediate and discretionary series of powers with which to arrest the 'demoralisation' brought about by unemployment and to safeguard the National Insurance fund. However, in time, those social groups whose condition underwrote the discipline of the insurance scheme came to be considered too remote to provide a really effective check upon the 'genuineness' of the unemployed or as a supplement to forms of labour regulation. In any event, these groups forming the 'residuum' became

Increasingly the subjects of socio-pathological intervention. Hence, as forms of rehabilitation and 'cure' began to further dissect and categorise the 'residuum', then it became less and less effective as the solitary 'key' to labour regulation and social discipline. Gradually, therefore, social commentators and policy-makers came to accept the need for the introduction of restrictions upon entitlements to Unemployment and Health Insurance in order to safeguard the actuarial foundation of the insurance fund and to provide a more direct and effective framework of disciplinary regulation for the management of the labour market.

While Churchill's 'thorough' conception of a system of social insurance provides a clear indication of the advanced disciplinary principles operationalised within techniques of insurance. In many respects it spelled a reversion to a more universally deterrent form of discipline and with a good deal less flexibility. For a number of reasons, then, Churchill's scheme met with objections from contemporaries: many remained wholly unconvinced by Churchill's arguments concerning malingering. [140] whilst Beveridge and Llewellyn-Smith opposed the graduation of benefits on the grounds that if the state were acknowledging a right to insurance relief on the basis of contributions, it could not then go suspending or qualifying that right. [141] Beveridge argued that, "the insurance scheme makes merely a minimum or basis of provision," suggesting that this would discourage fraud, at least, "until the check upon malingering afforded by a labour exchange is perfected." In contrast to Churchill, therefore, Beveridge and others tended to emphasise the role of the Labour Exchange which, "would keep a constant check upon fraud and malingering," over and above the autonomous operation of the insurance scheme itself. [142]

It had never been questioned that a National Insurance scheme could not operate without conditions of entitlement although Churchill had lost his fight to keep these restricted to actuarial conditions. Thus, the National Insurance scheme was to be supplemented by a series of conditions of entitlement and labour regulations which imposed restrictions upon the conduct of workmen and insurance applicants in order to support the principles of industrial discipline.

Despite the provision of financial insurance benefits: fairly low benefits of limited duration, the insurance scheme (in any case a significant form of labour discipline in its own right) was to be utilised, alongside the system of labour exchanges, as the instrument of a highly interventionist statutory labour market policy attuning the population to the needs of capitalist industrial production. For, as Beveridge made clear,

The problem of unemployment is the adjustment of the supply of labour and the demand for labour. The supply of labour in a country is, in the widest sense, the supply of population. [143]

In this light, the new insurance regulations have to be seen as forms of social policy engaged in a practical reconstitution of the population. The new regulations, regulations introduced to supplement the disciplinary force of capitalist political economy and the labour market, emerged as a fairly massive expansion of state administration and of its executive authority. These changes provided the state administration with a more extensive and more precise control over the operation of the insurance scheme but, more importantly, they extended the grasp of public authority over the conditions of working class life. The regulations restricting entitlement in certain cases, or subject to the fulfillment of certain conditions, can be seen to have involved a very clear compromise of what was previously understood as a clear and formally guaranteed right to benefit. This was not, however, the first or only example of the blurring of law and administration for, under the Poor Law, this process had advanced quite rapidly. The regulations introduced into the system of insurance, though, were significant for the way in which they created a detailed terrain of executive regulation and administrative action around the 'formally free' situation of the working man in the labour market and his relationship to his employer or potential employer (the labour contract).

Hence the insurance scheme (and, later, the apparatuses of Public Assistance, National Assistance and Social Security and Supplementary Benefits) and the supplemental battery of regulations, conditions of entitlement, compulsions, sanctions and restrictions, formed a highly disciplinary matrix of obligations, requirements and conditions around the social relations of the working class. Thus it is possible to talk about the intensification of the

disciplinary social administration of the population – but we must be specific. This disciplinary regulation took a particular form, was introduced in relation to, or derived from, a particular order (capitalist political economy and the labour market) and always had a particular content. Thus, regulations stipulated the situation of the workman, whether in or out of the labour market, his relationship, rights and responsibilities vis-a-vis employers, or potential employers, and, his relationship, rights and responsibilities vis-a-vis the state.

To be entitled to Unemployment Insurance the applicant had to prove: his employment at an insured trade for 26 continuous weeks during the past five years; that he had made a proper application; that he had been continuously unemployed since this application; that he was capable of work but unable to obtain it and; that he had not exhausted his right to benefit. [144]

In addition to these conditions of entitlement, the following explicit disqualifications applied. A person would be denied benefit:

(a) If he had lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop, or other premises at which he was employed – for so long as the stoppage continued or till he got work again elsewhere in an insured trade;

(b) If he had lost employment through misconduct or had left it voluntarily without just cause. [145]

In the latter case, benefits were suspended for a period of six-weeks to discourage the working man from leaving work voluntarily or engaging in such misconduct likely to result in dismissal. There were a number of other relatively more minor grounds of disqualification. [146]

So far, however, the combined series of conditions of entitlement and grounds for disqualification may seem innocuous enough – especially by today's standards. Nonetheless, these early, quite limited, forms of disciplinary regulation operating within and beyond the focal point provided by the labour exchange, do have an enduring significance – especially so after March 1921 and clause 3(b) of the Unemployment Insurance Act which introduced the infamous 'genuinely seeking work' test and the introduction, in 1922, of the

first means tests.

TESTS AND REGULATIONS

In many respects the 'genuinely seeking work' test marked a change of emphasis rather than an entirely new approach to the regulation of entitlement to insurance benefits. In the Insurance Act of 1911 it had been a condition that, in order to receive Unemployment Insurance, a workman had to be, "capable and available for work but unable to obtain suitable employment", whereas the Act of 1921 demanded that the workman be, "genuinely seeking whole-time employment but unable to obtain such employment." On the face of it, there appears little obvious change. Yet the new requirement of 'genuineness' appeared rather like a token ideological safeguard in the face of the final, inevitable, abandonment of the contributory and actuarial basis of the 1911 Insurance scheme.

Rapidly rising and longer term unemployment after the War had the result that large numbers of the unemployed were failing the contribution tests. [147] In response, the government had extended the period of entitlement by the 'Out of Work Donation'. (a non-contributory addition) introduced almost immediately at the end of the War. In the absence of that mechanism that Churchill had looked upon as the principle check upon malingering, namely, "the fear of falling through benefit," because men had already exhausted their entitlements, or had never been entitled in the first place, it was deemed necessary to introduce a further level of administrative regulation to re-fill the gap at the heart of the insurantal discipline. As Golding and Middleton have put it, the large rises in unemployment, especially long-term unemployment, and the introduction of the 'Donation' had, "pulled the carpet from under the Insurance Principle." Not all commentators, Beveridge amongst them, were very keen on this abandonment of first principles. [148]

As Deacon has shown, the addition of 'genuineness' as a criterion for

entitlement to Insurance benefits involved an explicit shift in the burden of proof of unemployment, from the Labour Exchange to the unemployed person. [149] Under the clause of 1911 it had been for the Labour Exchange to prove that the unemployed person had either turned down a suitable job or that such suitable work was available and he had not taken reasonable steps to obtain it. Obviously, in such a situation, it would be necessary for the Labour Exchange "to provide evidence of unsought work" for, the 1911 regulation,

could only be an effective safeguard against malingering in so far as the Exchanges were aware of the vacancies that existed in their area. Here however lay a problem since the failure of the exchanges to win the confidence of either workers or employers meant that only a fifth of all vacancies were actually notified to them. [150]

In this sense, as Beveridge noted, the 'genuinely seeking work' test implied a recognition of defeat, the failure of the National Labour Exchange and Insurance system to reorganise the labour market adequately.

The 'genuinely seeking work' condition implied an admission, not only that the Labour Exchanges did not control the labour market sufficiently for the purpose of testing unemployment, but that they would never do so, and that the hawking of labour, so emphatically condemned by the Poor Law Commission, ought to continue indefinitely. [151]

The transference in the onus of proof pointed to a major compromise of the 'right' to benefit advanced within the Insurance scheme, blurring even further the line between legality and policy, law and administrative practice, in 'social' intervention. Thus the tightening of the conditions of entitlement for benefit was one of the general effects of the introduction of the 'genuinely seeking work' test. [152] However, it is possible to identify another, less immediately apparent but rather more direct, consequence. While there remains some dispute concerning the extent to which the 'test' had the following objective exclusively in view, we cannot argue with Thane's demonstration that

the chief effect of the 'genuinely seeking work' test was to exclude married women from benefit. They were assumed to have less need for a full income than a man and were less likely to protest at its withdrawal. [153]

Beveridge and Deacon both describe the executive's concern with the collapse of the insurantal principle, behind the extensions of the 'uncovenanted benefit'.

and its perception of the need to supplant a disrupted mathematical discipline with administrative supervision. However, the special circumstances of the war and traditional assumptions about the role of women ('the woman question') in the return to the patriarchal peace-time labour market, all had their impacts upon the thinking behind the insurance scheme. [154] As it happened, "the Ministry of Labour became convinced that the 'donation' was being widely abused and the chief offenders were believed to be married women who had worked in munitions factories during the War and were consequently entitled to claim the benefit, even though they had since left the labour force." [155] Beveridge, however, made these points with even greater force and, given that only 12 years later he was to draw up the report on 'Social Insurance and Allied Services', upon which the entire post-1945 Welfare State was to stand, his remarks carry an enduring significance.

The value of the 'genuinely seeking work' test, he suggested,

from the point of view of the administration of the unemployment fund, has lain, not in keeping out the workshy and unemployable, or causing people to get work who would not otherwise have got it, but in the weapon of offensive defence it afforded against claims by women who on marriage had practically retired from industry and were not wanted by employers, but tried, not unnaturally to get something for nothing [sic] out of the fund and add to the family income. This is a real problem, but not one fairly solved by a 'genuinely seeking work' condition of universal application. [156]

12 years later Beveridge was to return to this 'real problem' in his design for Social Security for the second half of the 20th century. The legacy of the notorious 'cohabitation rule' and the less familiar although, in some respects, more significant 'liable relative' procedures, provide ample testimony to his failure to solve it. [157]

Nevertheless, whatever specific sets of circumstances might have recommended the 'genuinely seeking work' test to the administration, with its introduction, it is clear that a system of disciplinary regulation had been erected at the very heart of the operation of the insurance (or, more properly now, social security) system. More than any hitherto existing measure, the 'genuinely seeking work' test imposed the disciplinary force of the state's

attempt to manage the labour market directly upon the social relations of the working class household. The relations of the working class to the labour market and to the means of subsistence were now no longer policed simply by the techniques of insurance and industrial discipline but also by regulative principles of a particular force and direction. That this is a far cry from Churchill's more or less 'autonomous' scheme of insurance must be self-evident. the more so to the extent that the criterion 'genuinely seeking work' slipped, almost imperceptibly, into the criterion of 'availability', a state of mind or being incapable of precise demonstration. inconclusive in test. [158]

These issues were brought to a head during 1926 and 1927. In July 1926 a decision by a National Insurance Umpire *(The Times, 24 July 1926)* attempted to define "genuinely seeking work". In outlining the reasons for his decision, the Umpire appeared to confirm what everyone really knew. The Umpire's opening words suggested that.

In considering whether a person is genuinely seeking work the most important fact to be ascertained is the the state of the applicant's mind. [159]

Then, in 1927, there appeared the Report of the Blanesburgh Committee (The Report of the Committee on Unemployment Insurance), which had been considering the administration of Unemployment Insurance and was expected to make recommendations to tighten-up the regulations governing entitlement so as to restrict benefit only to those who were making the most obvious and extensive efforts to find work. Although the committee's terms of reference were left fairly broad it seemed that the problem of the supposed 'abuses' of the scheme would be quite high on its agenda. Certainly, during its two-year deliberations, 'abuse' stories were, not uncommonly, rife in the media. Nevertheless, in its Report the Committee devoted relatively little attention to the question of abuse, "simply because it could find little evidence of it." [160]

The subtle transformation of the requirement that the unemployed seek work as a condition of their entitlement to unemployment insurance - in short, the

Invention of 'availability' as a practical criterion of administrative determination, signified the hoisting of a fictional standard to the legislative framework provided by the state's labour market policy and forewarned of an immense administrative proliferation as the state apparatus sought to utilise (interpret, circumscribe, distribute and designate) its new instruments and relationships. In this sense, the introduction and administration of the 'genuinely seeking work' test inaugurated a relationship, not unlike that pertaining between the Poor Laws and Philanthropy, wherein severity and the extension of assistance 'complemented' one another. Thus, in 1921, when benefit rates were to be increased, it was suggested that, at the same time, "we must strengthen the regulations and there must be closer attention to the administration of the payment of benefits on lines that make it impossible to encourage idleness." [161] Such a 'trade-off' in political imperatives seems well-nigh universal. Indeed, the existence of just such a compromise seems the most obvious conclusion of Deacon's analysis of the 'scrounging' controversy in the 1920's and 1930's.

It was impossible to transfer the long-term unemployed to the Poor Law and it thus became a question of retaining extended benefit while minimising its harmful effects. Strict administration was seen as a means of achieving these objectives, particularly since the labour movement remained preoccupied with the level and duration of benefits and did not regard their administration as an important issue until later in the decade. If the seeking work test was not prompted by malice, it was 'tightened up' with a callous disregard for the hardships and injustices which resulted. [162]

The testing of 'availability' and, as the second of the new conditions, the testing of means, contributed to a major intensification of state intervention into working class life. State administration, writ large, was beginning to have a significant impact upon social existence. Gradually, administration was reorganising society and the conditions under which social life took place. No more crucial foundation for this social order can be found than the second of our two tests, the Means Test.

Although quite clearly a major component of contemporary Social Security policies, and with almost a quarter of the population dependant upon some form of means tested benefit, the 'Means Test' itself has seldom received the

attention it deserves. [163]

An earlier 'test of the applicant's resources' had been introduced in 1908 to police the administration of the Pension Act and help limit its financial burden. An accompanying battery of conditions sought to ensure that the meagre pensions offered by the Act did not go to the 'undeserving' and other, less reputable, groups. [164] Thus the intentions behind the test of means in 1908 were very similar to those leading to the attachment of supplemental 'conditions of entitlement' to the 'transitional' unemployment benefits introduced, at the end of the First World War, to extend the duration of assistance. After 1922, a number of categories of applicant for the 'transitional' (ie. uncovenanted) benefits were required to submit to a means test. [165]

As was the case in 1908, social policy commentators and latter-day historians have opted for the obvious in seeking to explain the introduction of the Means Test in 1922: "It was primarily an economic measure," says Deacon. "A means test was introduced ... as a further cost-cutting measure," says Thane. [166]

Yet the means test introduced a particularly intrusive and individualised form of relationship between the state and the applicant for assistance (a relationship which was, by and large, seen as quite legitimate, in the circumstances). The means test imposed quite a different kind of relation to that prevailing under a system of insurance. Under an insurance scheme, the state 'administered' aggregate factors whereas, in order to operate the means test, the state was required to intervene and reciprocate in each and every individual application for assistance. Therefore, "investigating officers were assigned to each Local Committee to check and verify the statements of income submitted by claimants." [167]

Each statement in support of an application had to be verified, this entailed a costly administrative process - indeed, earlier calls for the introduction of means-testing procedures had been rejected upon precisely these grounds. To this date, it has been repeatedly demonstrated that the operation of the means

test as a technique for distributing benefits. of necessity entails costly administrative marshalling. For example, amongst some circles in the years after the First World War, "It was considered that the amount of investigation involved rendered a means test impractical." [168] We must look for other explanations of the means test therefore. On closer examination it becomes apparent that objectives other than cost or the accurate distribution of relief begin to seem the most important causes of the British social security system's predisposition for means tests. The means test appears as rather less concerned with the objectives of meeting need or distributing assistance and more concerned with the statutory regulation of poverty.

The testing of family, or household, means was, in fact, no new phenomenon. Scrutiny of household resources and detailed and investigatory home visits had been practised throughout the 19th century. The formalisation of means testing as an arm of the state administration made relatively little difference to these investigatory activities, the major changes were in connection with the extension of the scale of means-testing operations, their functional and apparently economic role within relief practice and their new utility, not as a prelude to rehabilitation but, as a means of disempowerment.

When stepping back to review the history of means-testing in Britain, one is apt to be struck by this strange paradox, a paradox of a kind such as seems to have occurred to Foucault in his analysis of the perpetual failure of the prison to reform those incarcerated, despite the very best endeavours of the penal reformers. [169] In the case of the means test, traditional social policy identifies the technique as one amongst a number of 'distributional' measures – instruments by which a distribution of 'resources' is determined – one need not even try to suggest that the means test redistributes resources. Thus the means test is traditionally interpreted in terms of its supposed attempt to abolish poverty. A history of failure is then declared. Developing the analysis a little further, however, we can suggest that the means test might, more properly, be understood as a technique for redistributing, reapportioning, reorganising and reproducing poverty itself, as a political object. [170] In this light, the hidden history of the means test can be allowed to appear.

In writing this 'alternative' history one becomes struck more by the means test's contribution to the intensive regulation of working class social relations - its role and effects as an interventionist political technique - rather than its immediate significance as a method of allocation for financial or other benefits.

In contrast, then, to traditional approaches to the means test (which, it must be stressed, are being supplemented rather than dismissed) we must endeavour to understand the technique in terms of its exercise of a particular (statutory) relation of power and knowledge. This is not to suggest that the means test should be seen exclusively in statutory terms - in any event, such a view would be quite inaccurate - but simply to recognise that the means test is a final, policy-procedural, technique that can be seen as the culmination of a number of, both statutory and non-statutory, forms of supervision, investigation and interrogation and the ascription of levels of subsistence.

The means test 'tested' individual, family or household, income resources and matched them against a catalogue of recognised 'requirements' producing a snapshot, or margin, of 'need'. Depending upon the relevant 'assessment unit' (person, family or household) adopted for the test and the contents and length of the list of 'requirements', the means test officially endorsed a particular pattern of expected relationships, responsibilities and obligations, whilst sanctioning and condemning others. [171] Similarly, the means test's recognition of certain 'needs' was to alter fundamentally the nature of that concept, by attaching to a feature of subsistence, deprivation or even desire, the authority of social and political recognition. Henceforth, needs began to be attributed to people, in a normative sense, as state social policy advanced along the lines of social intervention that institutions such as the means test had forged with working class families.

This combination of the recognition of certain forms of 'need' and the sanctioning of certain forms of relationship with financial penalties or incentives ensured that the means test was rather more than a simple technique for the allocation of resources. On the contrary, once redefined, the means test

appears as a particularly important piece of political technology, for it can be seen to have accomplished nothing less than the crystallisation, or reconstitution, of a series of, highly functional and economically oriented, disciplinary social relations at the heart of working class existence. Add to this reconstitution of social relations, the role of the means test in the production of knowledge about living standards and the supposed aetiology of poverty – as well as its authorisation of so many forms of 'social intervention' – and we are left with a highly significant political instrument.

In these respects, the means test, the requirement of 'availability for work' and the conditions of entitlement, are at one. Simultaneously, each signals the intensification of industrial-capitalist forms of discipline within the social relations of the working class and imprints these relations ever deeper into the heart of social existence and lifestyles. It is, of course, no accident that the nationalisation of the labour market and the first specification of criteria of national economic policy emerged at precisely the time that the disciplinary basis to working class social relations were undergoing a major refinement. In fact, these three developments are intrinsically related. In particular, they are related within the social and political transformations that both prompted and accompanied the demise of the Poor Law and its replacement by a scheme of National Insurance. In the process the working class were introduced to formal political membership of society (social-democratic citizenship) yet simultaneously subordinated, en masse, to the national imperatives of capitalist political economy. Such questions, concerning the exercise of power and control within the capitalist economy, have been raised in earlier chapters, yet in drawing towards a conclusion here it is only necessary to reiterate the role that 'social policy' has played in this process.

The vital element that is frequently overlooked in histories of social policy development – especially in histories of social security policies – and the factor which needs to be restored to full prominence, is the question of the role of the systems of discipline (their form, contents and principles) operationalised within social policy. The argument of preceding chapters has been to the effect that the most significant feature of successive policies legislating on

questions of poverty and pauperism, has less to do with the substantive issues, the policy problems around which particular social interventions (remedies, treatments, allocations of 'benefits' etc.) are arranged, and everything to do with the mobilisation of disciplinary systems which combine, in sets of strategic relations, political subjects and objectives, techniques and methods, incentives and benefits, and sanctions and penalties, in the pursuit, although not necessarily the achievement, of policy goals. Within this general perspective, the specific task of the chapters immediately preceding has been to show how the directly regulatory elements of policies arranged in relation to the object, 'pauperism' (or more recently, poverty) have both invented and then mobilised certain forms of disciplinary authority and have secured certain disciplinary effects. It is clear that the transition from Poor Law to National Insurance and then Social Security signalled major changes in the form and content of this discipline. However, in the process, this transition ensured the articulation of new principles and objectives of policy; the evolution of new methods and technologies and their contribution to intensified systems of social discipline which were applied to society in general and the working class in particular.

A number of accounts, referred to earlier, have drawn attention to the continuities between state policy in respect of poverty, unemployment and the labour market under the Poor Law, and after the introduction of National Insurance in 1911. Indeed, it is true, there are important continuities. However, to argue that insurance and the new mechanisms of regulative disqualification contributed to a new articulation of the principles, objectives and techniques, of policy which intensified the disciplinary nature of working class social relations and to infer that these relations were experienced as increased control by the working class is to encounter different levels of significance upon which the development of the policies are to be judged.

As has been shown, both the Poor Law and the newer 'preventative' (or collective) policies for dealing with poverty and unemployment after 1911 had effects across the entire working class by their contribution to the organisation of the labour market and the pressurising of the working class towards

acceptance of the principles of the capitalist labour contract. However, while both Poor Law and National Insurance contributed to these developments, each did so through the mobilisation of different sets of relations.

In a most repressive way, the Poor Law contained poverty. It confined poverty and all its moral and economic symbolism to the poor alone and, in doing so, used the condition of the poor as the basis of a system of deterrence aimed at the whole of the working class. For the 'independant' working class, the labour market, the contract of employment and the hierarchy of industrial relations formed the basis of social discipline. Nonetheless, the direct repressive force of the Poor Law was felt primarily by the paupers themselves. This repression of the poor assisted the exercise of disciplinary principles and techniques elsewhere but its own techniques and procedures were confined mainly to the pauper. The same cannot be said in relation to the more recent policy when, with the nationalisation of the labour market, the decline of the casual trades and the relay provided by the National Labour Exchange, ensured that, "wage labour became the general form of appropriation for the working class". These developments capped, from 1911 to 1921, by the increasing coverage afforded by the insurance scheme implied that, "the whole class had notice of poverty served upon it ... every worker became a potential pauper." [172]

In future, the discipline of state social policy and its regulative mechanisms and those of the labour market and the factory became co-extensive. The workman, and woman, became the objects of a disciplinary and regulatory form of social policy that was plainly societal in its orientations but, increasingly, highly specific and individual in its effects. The principles of insurance and the attendant forms of regulation, tests of 'availability' and 'means', supplemented by (or, perhaps, more accurately, it should be 'based upon') the Poor Law until 1929 and, later, the institutions of Public Assistance, National Assistance and Social Security, can truly be said to have inaugurated a system of discipline unlimited organised around the labour market and the new penalties of social disentanglement. [173] In this important respect, the changes in terminology describing the policies by which the state met the minimum needs

of the poor and working class after 1929 made relatively little difference. As even Fraser has recognised,

To the unemployed the new Public Assistance Committees were merely the old Guardians writ large, and shortly to be armed with even greater inquisitorial powers. [174]

Fraser was referring to the immediate resurgence of inquisitorial powers which fell to the Labour Exchanges, Insurance officers, Public Assistance Committees and, after 1934, to the Unemployment Assistance Board, to the introduction, repeal and re-introduction of the 'genuinely seeking work' test and to the refinement, in administration and design, of that instrument of stigma and pauperism which has long featured as a central component of the British 'Welfare State': the Means Test.

The immediate history of the administration of poverty and unemployment is fairly well known. The turbulent political events of the inter-war years have singled the period out for the special attention of historians and social scientists, as if the process of social change moved faster or more significantly during these years in contrast to the more 'sedate' periods of 'normal' policy. Shifting terminology, briefly, we might follow Gramsci and point to the 'thirties as a moment of 'conjunctural crisis' when the alignment of forces and social relations was weak or destabilised, precipitating the whole social structure into crisis. Certainly, given the wealth of attention devoted to politics and society in the 1930's such ideas seem implicit irrespective of the perspectives of particular researchers.

Whether or not such 'Gramscian' perspectives even begin to account for the particular case of Britain in the inter-war years is beside the point. The fact is that a number of writers and researchers have selected this period as one of special significance. Their choice is fair enough. However, the objective of the present study is not to examine a particular period but to explore the traditions of administrative practice, the continuities and transformations which transcend and even encompass the developments of particular times and places. The inter-war years are an important period in the history of British social policy because their turbulent years witnessed the intensification and

crystallisation of many longstanding disciplinary features of social policy legislation. As we have seen, these years saw the conclusion of a process of transformation in the exercise of disciplinary power which had been at the heart of the transition from the Poor Law to National Insurance and witnessed the refinement of the administrative techniques, the notorious 'tests' which, to this day, help restrict access to a host of social benefits. At least it is ostensibly as part of an exercise of administrative restriction, or as an economy measure, that the strategy of disentitlement derives its political coherence and force. That is to say, the strategy (in fact, though, we should now say 'the politics') of disentitlement is, perhaps self-evidently, conceived almost entirely in terms of access to benefits and resources and, by implication, in terms of exclusion. The 'politics of entitlement', therefore, is a corollary of a certain economic reading of the normative orientation of social policies around forms of 'need'.

Thus the politics, or strategy, of disentitlement reduces the significance of social security administration to a static and, more or less, one-dimensional plane. Static, because the act of disentitlement or entitlement (inclusion or exclusion) is perceived as a single, specific, act: a finite application of juridic power, rather than as an on-going, near permanent and certainly pervasive, process of supervision, scrutiny and review, an aspect of that which Donzelot has described as the tutelary relation between citizen and state. One-dimensional, because the policy is interpreted almost wholly in terms of social 'needs' being met by a central authority. Thus the transaction is viewed as having but one direction, one beneficiary. [175] Little sense of reciprocity is acknowledged in the financial relationship and no contradictions, either, in the resource so distributed.

The consequences of this particular conception of the exercise of state social policy is that the strategy of disentitlement diverts our attention from the disciplinary relationship itself, forcing us to concentrate upon the specific economic item (benefit, service or other 'resource') in distribution itself. Hence we fail to recognise, in the redistribution of resources, the redistribution of disciplinary and hegemonic relationships and that any further, more

extensive, distribution of benefits is, simultaneously, a more extensive distribution of discipline and sanctions. Likewise, any withdrawal of benefits or resources represents no less an exercise of disciplinary power.

As discipline has been conceived in this and earlier chapters as a system of positive and negative sanctions arranged around a series of normative relationships. The above reappraisal of a welfare strategy based upon 'entitlement' raises important questions for our present conception of 'distributive' social policy. The systematic organisation of social relations through the interventionary vehicle of social policy – a form of disciplinary normalisation – has barely yet been taken seriously as the organising force of social administration, despite the fact that it is here that its primary significance lies. Hence the disciplinary and regulative elements of disentanglement are traditionally criticised from the liberal standpoints of liberty, justice and legality, as if they were capable of 'fair' applications divorced from their (indispensable) association with a system of social discipline whose organising principles lie elsewhere, within the political economy of capitalism. Thus the extensive disciplinary relations, constituted and reproduced throughout a distributive social policy, cannot wholly be reduced to a politics of disentanglement. We shall return to these questions in the final chapter and in the conclusion.

The regulative principles and 'tests', identified above, are useful 'tools', for the negotiation of authority in society, devices for the subtle application of pressure, techniques of supervision and normalisation and the convenient supplementary (and disciplinary) measures by which an exercise of power is rendered more effective and penetrating. While such measures all quite clearly contribute to a form of deterrence not unlike that existing under the Poor Law, this is far from being their most significant feature. These regulative measures are more usefully seen as the essential and complementary disciplinary features of a system by which the imperatives of capitalist production are imprinted deeply within the social relations of class society. As we have seen, it is inadequate to dichotomise 'care' and 'control' in 19th century relief work and, likewise, benefits and sanctions, incentives and penalties, entitlement and disentanglement, refer not to mutually opposed policies

within a governmental programme but, rather, to a singular range of strategic effects produced throughout the operation of a policy. This is not to imply the uncontradictory nature of policy effects, but simply to record that the most profound general consequence of social security policies has been the intensification of disciplinary relations derived from capitalist industrial production and the labour market. State social policy does nothing so well as it reproduces the moral, political and ideological order of capitalist society and, through social policy, a direct relation is maintained between the conditions of capitalist political economy and the pressures of subsistence and social existence. Thus, as Kay and Mott maintain, for the working class, the apparatus of policy is, in effect, "a wedge that separates the needs and capacities of labour, and the force that keeps them apart." [176]

Clearly, two sets of relations are bound together in this multiplication of administration. On the one hand, the institutions of social administration endorse and perpetuate the separation between the needs and capacities of the working class, forming the rift at the heart of working class political action. On the other hand, the social policy apparatuses refine, intensify, distribute and apply, the very pressure of subsistence that is founded on the capitalist organisation of industry itself. Together, therefore, the two sets of relations reproduce, and translate to the very centre of the relations of working class social existence, the oppressive force of capitalist relations of production. While questions of rights, needs, welfare and entitlement have become, in recent years, the main focus of disputes about the organisation of social security operations, it is gradually being acknowledged that, in the 1980's, questions of social discipline must also be addressed with equal, if not greater, vigour. It is in terms of state regulation rather than the meeting of 'needs', and political and economic order rather than disempowerment per se, that the future of social security appears to lie.

In the following section, these issues will be taken up in greater detail in the course of an examination of the disciplinary and incentive techniques, penalties and conditions of entitlement, interspersed throughout the social security system in the post-war 'Welfare State'. In particular, the theme linking this final

section with earlier chapters will be the continued emphasis upon 'fraud and abuse' which, building to a crescendo in the 1970's and 1980's, has served to legitimate and justify the disciplinary emphases in the social security system and, which, in a vitally important way, have underlain major changes in the 'philosophy', principles and practical organisation of the scheme. These changes have culminated in the considerably more punitive social security system with which we have become familiar in recent years.

The paradox is, of course, that in the very years that the most extensive formal criteria of advanced citizenship were evolved and then conferred upon the population 'at large', the administrative machinery of the state was, ever more effectively, deploying the techniques for their socio-political abnegation. An apparent focus upon needs, rights, welfare and incentives rapidly gave way to an express preoccupation with discipline, regulation and social pathology. These disciplinary imperatives of the social security system soon generated their own administrative problematics. Certain categories of benefit recipients emerged as the especial objects of social intervention, whilst the refinement of social security organisation proceeded apace to meet the growing social and political demands placed upon it. Thus the final section details the amazing 'collapse into control' as the disciplinary techniques themselves began to subvert even the traditional discourse on social democratic forms of social security and it came, slowly but surely, to reorganise the social security system in their own image.

For the 19th century philanthropist 'charity', conceived as a relationship between giver and receiver, was everything, the gift itself was no more than a means to that end. Likewise, today, social benefits serve as a useful instrument of policy, authority and discipline but political order and economic security remain their principal objective.

In leapfrogging the turbulent years of the late 1920's and 1930's and allighting in the age of the 'Welfare State', the 'New Jerusalem', the age frequently believed to herald so decisive a break with the past by virtue of its articulation of new foundations for social security and national prosperity, a note of caution

is advisable. Beveridge, often identified as the great architect of the 'welfare state', whose report was to set out the social and administrative foundation upon which the entire new welfare edifice was to stand, while serving equally well as an agenda for post-war reform, had not always articulated so unreservedly positive and progressive a vision of the possibilities of state social policy.

We have already noted Beveridge's failure to proceed beyond the highly restrictive state social security provisions for women inherited from the 19th century, via the 'Means' and 'availability' tests, but his general outlook upon the need for social discipline is rather less well known. Barely 10 years before commencing work on Social Insurance and Allied Services, Beveridge had displayed views more closely akin to those of the Webbs than those we might expect from the 'father of the welfare state'. These views showed him to be preoccupied by questions of a rather more explicit and disciplinary nature than the 'Five Giants' of 1942. As Harris points out, Beveridge had,

argued that insurance should be supplemented by the policies that he and the Webbs had advocated twenty years earlier ... They would enable the authorities to detect and punish the small minority of habitual malingerers who were battering upon the fund and giving the unemployed an undeservedly bad name ... [similarly, it was envisaged that] ... the able bodied who refused to work would be handed over to penal labour colonies and other forms of corrective institution. [177]

APPENDIX TO CHAPTER 5:

OFFENCES AGAINST THE POOR LAW: 1915-1948.

OFFENCES AGAINST THE POOR LAWS: 1915-1948

	1915-19 (Annual Average)	1920-24 (Annual Average)	1925-29 (Annual Average)	1930-34 (Annual Average)	1935-39 (Annual Average)	1940	1941	1942	1943	1944	1945	1946	1947	1948
Neglecting to Maintain Family, etc.	1095	2125	1824	1382	1062	391	384	360	346	374	419	674	703	437
Misbehaviour by Paupers	374	556	1022	975	496	109	70	39	34	26	32	30	51	36
Stealing or Destroying Workhouse Clothes/ Bedding	100	155	221	132	61	24	26	24	33	24	27	32	37	32
Other	75	768	883	365	514	340	320	256	208	141	174	118	157	100
TOTAL	1644	3604	3950	2854	2133	864	800	679	621	565	652	854	948	605

Source: Home Office: Criminal Statistics 1915-1948

NOTES TO CHAPTER 5 : THE DISCIPLINE OF SOCIAL POLICY (PART III).
TOWARDS THE NEW POLITICS OF NEEDS.

1. J Davy, Chief Inspector for the Poor Law Division, evidence to the Royal Commission on the Poor Laws and the Relief of Distress. Majority Report, Appendix, volume 1, minutes of evidence, question 2230, 1909.
2. See for instance, D Garland, 'The Birth of the Welfare Sanction', British Journal of Law and Society, volume 8, number 1, 1981. The 'welfare sanction' has been rather overlooked in the history of social policy development but it should not be marginalised to a residual significance as in Garland. On the contrary, the state's system for relieving the poverty of the working class is replete with sanctions, penalties and disciplinary regulations as we shall become more and more aware.
3. K Williams, From Pauperism to Poverty, 1981, page 91.
4. S and B Webb, English 'Poor Law Policy, 1910, pages 153-159. The Webbs cited the modified Workhouse Test Order (of Whitechapel Union, 18th April 1887) as characteristic of the new discipline. The Order "combined with the establishment of a special 'Test Workhouse' might come near to being a penal alternative. But it is ... important as a precedent capable also of application in an entirely humanitarian way." In this way the Webbs saw the penal and reformatory elements of the Poor Law somehow mutually complementing one another.
5. M Crowther, The Workhouse System, 1981, page 74, the Webbs, English Poor Law Policy, op cit, pages 159-164.
6. W Chance, The Better Administration of the Poor Laws, London, Charity Organisation Society, 1895.
7. Local Government Board, 3rd Annual Report, 1873-74, page xxv.
8. Local Government Board, 13th Annual Report, 1883-84, page iv.
9. Chance, op cit, 1895, page 113.
10. K De Schweinitz, England's Road to Social Security: 1349-1942, Oxford

- University Press, 1943, page 159.
11. Webbs English Poor Law Policy, op cit, page 160.
 12. Ibid, see also J Harris, Unemployment and Politics, Oxford University Press, 1972, page 53.
 13. Crowther, op cit, 1981, pages 56-57.
 14. Local Government Board Circular, 18th November 1871, cited in Local Government Board 1st Annual Report, 1871-72 and Chance, 1895, op cit.
 15. See, for instance, the Pauper Inmates: Discharge and Regulation Act 1871, and the Casual Poor Act, 1882, 34 & 35 Vict. c 108, section 4.
 16. Local Government Board, 16th Annual Report, 1886-87, page 56, quoted in Chance 1895.
 17. Local Government Board, 19th Annual Report, 1889-90, page 107, see also Crowther op cit, 1981, pages 208-9.
 18. The Victorian philanthropist has been noted for his/her concern about wrongful confinement. Indeed there was some considerable scare about the wrongful confinement of members of the bourgeois classes in sanatoria and mental institutions. While rather less concern was shown for the question of the confinement of the poor, there was, nonetheless, the feeling that the Poor Law might work most effectively without its own administrative and compulsory powers of direction.
 19. See for example, Crowther, op cit, 1981, pages 64, 84-86, 173, the Webbs, English Poor Law Policy, pages 172-174, C S Loch, How to Help in Cases of Distress, 1883, pages 38-41, J Harris, op cit, 1972, pages 141-142, 36th Annual Report of the Local Government Board, 1906, pages 285-311, and also the Report of the Inter-Departmental Committee on Vagrancy, 1906, Cd. 2852. In the Minority Report of the Poor Law Commission (The Public Organisation of the Labour Market), volume 2, the Webbs also considered this question and the need to isolate the 'residuum' from the 'merely unemployed', pages 26-32, 63-64 and 413-419.
 20. See Harris, op cit, 1972, pages 26-28, 349 and Harris, William Beveridge: A Biography, Oxford University Press, 1977, pages 118-119, 356.
 21. Both Minority and Majority Reports of the Poor Law Commission saw some place for some form of Labour Colony within their proposals for dealing with poverty and unemployment as did, the Webbs, Beveridge, the Charity Organisation Society, Lansley and the Popular Guardians,

- and the Salvation Army. See Harris, op cit. 1972, page 141.
22. Crowther, op cit. 1981, pages 79, 240. Harris, 1972, op cit, pages 189-192.
 23. "Radicals and socialists too regarded the idea with some sympathy, absorbing the 'labour colony' notion into a broader preoccupation with land reform and controls upon the labour market. 'Home colonisation' was part of the Social Democratic Federation's early programme, the Fabians were on the whole sympathetic, and amongst the Independent Labour Party leadership, Ramsay MacDonald and Kier Hardie both supported the idea as a way of removing surplus labour from the market." D Colledge and J Field, 'To Recondition Human Material: an Account of a British Labour Camp in the 1930's', History Workshop Journal, 1983, page 154.
 24. General Booth, In Darkest England and the Way Out, London, 1890.
 25. G Stedman-Jones, Outcast London, Oxford University Press, 1971, page 311. See also Harris, op cit. 1972, pages 188-192.
 26. Williams, op cit. 1981, pages 327-8, Stedman-Jones, op cit. 1971, pages 306-8, Colledge and Field, op cit. 1983, page 154, and J Brown, 'Charles Booth and the Labour Colonies', English Historical Review, vol XXI, 1968.
 27. Stedman-Jones, op cit. 1971, page 307.
 28. In later chapters we will rediscover this theme of entitlements being exchanged for a share in citizenship as the Social Security system takes on a broadly deterrent character in the late 1970's and early 1980's.
 29. Webbs, English Poor Law Policy, pages 268-271.
 30. Ibid, see also, De Schweinitz, 1943, op cit, chapter 17, Beveridge, Unemployment: A Problem of Industry, London, 1909, and P Clarke, Liberals and Social Democrats, Cambridge University Press, 1978, pages 118-127. A further rather more detailed, but also more personal, account can be had from Beatrice Webb's own diary, Our Partnership, chapter 7, pages 316-421, Longmans 1948.
 31. De Schweinitz, op cit. 1943, page 185.
 32. B Webb, Our Partnership, page 321, Thane, 1982, op cit, page 88, and De Schweinitz, op cit, page 189.
 33. B Webb, op cit. 1948, pages 341-342, and P Clarke, op cit. 1978, page 118.
 34. Clarke, op cit, page 120.

35. Thane. op cit. 1982. page 90.
36. As the Webbs described it, "there is in fact, today, a sort of 'No Mans Land' in Poor Law administration, in which the principles of 1834 have been de facto abandoned, without the principles of 1907 being consciously substituted." English Poor Law Policy, page 272, 1910.
37. *Ibid.*, pages 257-277.
38. The Majority Report of the Poor Law Commission, 1909, pages 643-4.
39. D. Fraser. The Evolution of the British Welfare State, 1973, page 149.
40. The Webbs. English Poor Law Policy, page 278, see also, the Webbs. The Prevention of Destitution of Destitution, London, 1910, pages 139-140.
41. English Poor Law Policy, page 280.
42. B Bosanquet. 'The Majority Report', Sociological Review, April 1909.
43. The Majority Report of the Poor Law Commission, 1909, part VI, page 445.
44. In an interesting argument which casts light both upon the nature of the Webbs' criticisms of the Majority Report and upon their own frequently morally imperialistic assumptions, the architects of the Minority Report wrote: "So long as the conditions afforded by the Poor Law authority are 'deterrent', few will apply for this maintenance; the vagrant, the able-bodied loafer, the temporarily sick, the disabled drunkard, parents with neglected children, the epileptic and the feeble-minded preferring, even at the cost of foregoing the treatment that they really need, such other forms of parasitism ... But let the conditions offered by the Poor Law authority be 'curative and restorative' in their character, and all classes of 'Ins and Outs' will clamour for the hospitality of the Poor Law ... Whether they come in or remain out, a Poor Law Authority ... is wholly unable to enforce on them, before they are destitute, the sort of conduct that would prevent their becoming destitute, and would thus preserve the community from the danger and cost of their parasitic existence. The Poor Law authority is thus incapable, not (as is often supposed) because it has no adequate powers of detention, and because it must let its patients go whenever they please. Its incapacity rests upon the more fundamental and less curable defect that, as a Destitution Authority, it is inherently incapable of bringing pressure to bear on the lives and wills of these

people, at the time when such pressure may be effective, namely, long before they have become destitute, at the time when they are taking the first step towards the evil parasitism to which they eventually succumb." English Poor Law Policy, pages 288-289.

45. "To compel, by law, able bodied men and women to become paupers against their will; to force upon them a degrading status with the stigma of pauperism, when they do not even apply for public assistance; to compel them to come into an institution of the destitution authority, when they ask only to be let alone, must, we think, in the absence of any judicial conviction of a special offence against the law, be dismissed as politically out of the question." English Poor Law Policy, page 291.
46. Ibid.
47. Ibid.
48. Ibid. page 292.
49. Ibid. page 281.
50. The Public Organisation of the Labour Market: Being part II of the Minority Report of the Poor Law Commission, 1909, page 63.
51. Report of the Departmental Committee on Vagrancy, HMSO, 1906, Cd. 2852. Despite the comments of the Departmental Committee it still remains rather difficult to equate support for this argument with some of the Webbs' own comments cited later.
52. "When this power of compulsory detention is used in such a testing establishment ... it seems to us that it amounts to a week's imprisonment with hard labour, under conditions actually more severe than those of the jail. Hence, we find, as a matter of fact, the disreputable men gladly accompanying the master to the Police Court, actually preferring the Magistrates sentence of imprisonment to the arbitrary punishments of a workhouse. Only those who have some remnant of respectability prefer, under such conditions, to endure the tender mercies of the Poor Law. It is in fact part of the terror ... that the master does not take the men to the Police Court, finding his own regimen more effective; thereby dispensing with the formality of the trial! We do not think that parliament can have been aware of this strange combination of a severely deterrent workhouse with an arbitrary power of compulsory detention without trial." English Poor Law Policy, page 64.

Such comments were echoed in the Webbs' discussion of the usage of the casual ward in a workhouse by vagrants. The authors were both

surprised and dismayed by the conditions and treatment of the 'destitute wayfarer' and 'houseless poor'. It is noticeable that the Webbs' adopt a different kind of language when condemning the disciplinary excess of existing institutions than when recommending their own penal institutions for the recalcitrant poor – the residuum. Hence, in such cases, the thinly-veiled moralism of the Webbs breaks through their language of progressive reform. "What has surprised us is to find rising up in the great Midlands and Northern cities, great and costly cellular prisons, erected with the sanction of the Local Government Board, as the only provision for the destitute wayfarer and the houseless poor. Here, the cells are dark and cold; the bare stone floor with one rug is the only sleeping place. During the day the men are locked in solitary pens and kept for nine hours at stone-pounding, the hardest and most monotonous toll that has been devised. The Superintendents of these casual wards pride themselves on always having vacant cells. Every man [entering the establishment] is detained for the full period of about thirty-six hours; and if he is rash to come twice in a month he is detained for four days and five nights which is nearly the equivalent of what prison authorities construe as a sentence of a weeks' imprisonment. But the habitual inmate of a casual ward prefers a sentence of imprisonment to the severity of the more rigorous casual ward. The statistics prove, to use the words of the Departmental Committee, 'that certain men deliberately commit offences in order to be sent to prison', with the result that the local police find themselves with ... an increase in the number of unwarded vagrants." The Public Organisation of the Labour Market, op cit 1909, page 79-80. See also pages 240-241, and Crowther, pages 210-211, and 258.

53. Ibid, page 71. See also R Mishra, A History of the Poor Law Relieving Officer, PhD thesis, University of London, 1969, where it was pointed out that the long historical association between Poor Law officials and severe discipline prevented these officials becoming more involved in the more positive exercise of welfare functions after 1910.
54. The Public Organisation of the Labour Market, 1909, page 66.
55. Ibid.
56. Ibid, page 67.
57. Of course the irony of this was pointed out by the Webbs on more than one occasion. Only the really destitute had to go and remain in the Test Workhouse or Disciplinary Institution and their unwarranted punishment would only compound their plight. The Public Organisation

of the Labour Market, pages 72-74, 96. "If the out-door Labour Test and the Able Bodied Test Workhouse and the Casual Ward are made strict in their discipline and prison like in their regimen, they are shunned by the vagabond and the worthless class 'occasional poor' who thereupon contrive to the great annoyance, cost and danger of the public, to exist outside them. Their penal severity then falls on such comparatively decent men as have become too debilitated and too incompetent to gain even the barest living outside; and these, though finding the regimen unendurable are driven in time and time again by sheer starvation. To subject such men to a brutalising regimen and penal severities is useless and inhuman." The Public Organisation of the Labour Market, page 96.

58. S and B Webb, The Decline of Capitalist Civilisation, London, 1926.
59. The policy implied here was considered self-defeating in a number of respects. A successful deterrent workhouse would be empty or only partly full and the authorities would then be under pressure to use up the spare capacity either by committing more of the 'deviant' poor to it, or by filling it up with other categories of the poor. The first alternative would conform to the pattern of discrimination by which a minority of the poor were singled out for a special disciplinary form of treatment, thus setting in motion the revolving door poor-law system which reformers had long attempted to avoid. The second alternative would result in the crumbling of the special deterrent institution back into the generic receiving establishment/long-term institution to which the Webbs were vehemently opposed. See The Public Organisation of the Labour Market, pages 65-98. However, it seems very much as if the Webbs have merely extended a notion of "deserving" and included in it all but those they considered were not really looking for work. (page 87) As we shall see this condition paved the way very well for the Availability Testing that was to become so crucial a feature of unemployment assistance during the inter-war years.
60. The Public Organisation of the Labour Market, 1909, page 72.
61. *ibid.*
62. *ibid.*, page 74.
63. Webbs, English Poor Law History, part I, The Old Poor Law, 1927, part II, The Last Hundred Years, 1929. We shall not consider the two major works of the Webbs in this review of the disciplinary poor law because, for obvious reasons, in writing of the developing discourse of state intervention, the more immediate political discursive

Interventions carry more of the flavour of the contemporary situation than a subsequently written history. For these reasons the rather more political work of the Webbs is used rather than their more academic writing.

64. B Webb, Our Partnership, op cit. pages 422-491.
65. Ibid. page 473.
66. The Webbs, The Prevention of Destitution, pages 5 and 6, 1910. Precisely such preoccupations had earlier prompted the report of the Inter-Departmental Committee on Physical Deterioration in 1904 (Cd. 2175). This Report gave substance to the new panic over the revelations concerning the health of army recruits and helped raise questions of social biology (bio-politics) to the level of legitimate political concern. For an example of the explicit Imperialistic overtones of this concern with national efficiency, see A White, Efficiency and Empire, London, 1901. In the same year Sydney Webb who had, it seems, been cultivating an association with Lord Roseberry, tried to establish for the Liberals that "the true Imperialist must be a social reformer". S Webb, quoted in B B Gilbert, The Evolution of National Insurance in Great Britain, London, 1966, page 76. Considerations of the later history and consequences of the national efficiency question may be found in Thane, 1982, op cit, pages 195-6, 294-7 and G Searle, The Quest for National Efficiency, Oxford, 1971, and Searle, Eugenics and Politics in Britain: 1900-1914, (1976) and N Rose, 'The Psychological Complex: Mental Measurement and Social Administration', Ideology and Consciousness, 1979.
67. English Poor Law Policy, pages 296-7.
68. Ibid. page 296.
69. "The deliberate and systematic adoption of this principle of prevention is the very basis of the Minority Report proposals. It is ... this principle which underlies all the three 'Principles of 1907' ... The Local Authorities do not apply the principle of curative treatment wholly, or even mainly, for the pleasure or the advantage of the individual sufferer; what they have in mind is the prevention of future evils to the community ... When they apply the principle of curative treatment, they do so, not for its own sake, and not even for the immediate advantage that it brings, but in order to prevent evils to the community in the future... If in one service or another the principle of universal prevention is adopted, it is because we have become convinced, with regard to that service, that universal prevention, is actually less

- expensive than any alternative... That it may be looked upon as really preventing some more costly evil." English Poor Law Policy, pages 298-299.
70. "The proposal of the Minority Report [is] to break up the Poor Law and to transfer its several services to the Local Education, Local Health, Local Lunacy and Local Pension Authorities, and to a national Authority for the able-bodied." English Poor Law Policy, page 300. The Public Organisation of the Labour Market, pages 245-248.
71. "It is vital that the Local Health Authority should be empowered and required to search and ensure proper treatment for the incipient stages of all diseases. It is vital that the Local Lunacy Authority should be empowered and required to search out and ensure proper care and control for all persons certified as mentally defective ... It is vital that the Local Education Authority should be empowered and required to search out and ensure, quite irrespective of the family's destitution, whatever parliament may prescribe as the National Minimum of nurture and training for all children ... It is becoming no less clear that some authority - the Minority Commissioners say a National Authority - must register and deal with the man who is unemployed, long before extended unemployment has demoralised him and reduced his family to destitution." English Poor Law Policy, page 301.
72. The disciplinary character of this scheme derived from its attempt to manage the labour market, combined with its attempt to control the access of the unemployed to subsistence. Registration under such a national authority as proposed by the Webbs was to imply registration as a worker and therefore as a citizen upon which the right to subsistence depended. The scheme was disciplinary insofar as it sought to assist with the operation of the existing labour market.
73. English Poor Law Policy, page 316.
74. The deterrent nature of the scheme derived from the fact that the unemployed man was to be deterred from long-term unemployment - pushed early into whichever job as became available - by the stringent conditions operating within the scheme. Thus, his right to subsistence was entirely dependent on him making all possible efforts to take on any available work.
75. English Poor Law Policy, page 317.
76. English Poor Law Policy, pages 306-7.
77. "Deterrence is, in fact, in regard to the Able-Bodied, an indirect test of unemployment: unless they are really unable to obtain work they will

not accept relief under harsh conditions . . . to deterrence the Labour Exchange offers an alternative and a supplement . . . So long as the community leaves the search for employment to individuals, it must put pressure on them to continue the search. . . . So soon, on the other hand, as the state itself undertakes the search for employment . . . it can with perfect safety help the unemployed move freely because it knows that so soon as work is to be had it will have notice thereof and be able to hand on the notice to those who are being relieved. The Labour Exchange thus opens a way of 'dispauperisation' more humane, less costly and more effective than that of the Workhouse Test." Beveridge, Unemployment: A Problem of Industry, pages 215-6. The crucial difference here is that, for Beveridge, the Labour Exchange should be primarily the means for managing an insurance system, whereas, for the Webbs, the Labour Exchanges were seen as central reception agencies for the Able-Bodied unemployed which would apply the disciplinary pressure of prevention and deterrence to these men. For all these differences, however, Beveridge's Labour Exchange scheme still contained functions that were quite explicitly moral and the pressure applied in such instances did not stop with disqualification to insurance but also comprised "an industrial version of the principle of deterrence", the idle, the vagrant and the recalcitrant were still to be "sent to an institution for disciplinary detention." Beveridge, *op cit.*, pages 267-8, Harris, 1972, *op cit.*, pages 287-8.

78. *Ibid.*, see also Harris, 1977, *op cit.*, page 171.
79. See note 77. In effect the application of disciplinary powers against a residual 'few' invariably turned out to involve a much broader application of discipline against the many.
80. Pigou, had written "There is little prospect that a final solution will ever be achieved if public opinion cannot be brought to sanction, either the forcible detention of the wreckage of society or the adoption of some other means to check them from propagating their species." 'Some Aspects of the Problem of Charity', in Masterman, The Heart of the Empire, 1901. As Stedman-Jones has shown these attitudes which came to make up the intellectual platform for Fabian support for the National Efficiency Movement, sanctioned a two-pronged Fabian assault on destitution: benefits and discipline (Stedman-Jones, 1971, page 332). The statement of the Fabian position on this question was made clear in 1905. A Fabian tract discussed the means for removing the hardships faced by the 'respectable working class' and then turned to

the problem of the 'residuum'. "On the one side are those whose destitution is caused merely by the fact that they are idle and incompetent; those who are a tax on the community for which they have never done a fair share of work and never will, they must be dealt with under some form of criminal law since society will soon recognise that to live without working is a crime ... The weak minded and incompetent must be dealt with in farm colonies and in such other ways as are adapted to make the best of them... The deliberately idle must be set to hard labour, and their social vice, if it may be, sweated out of them." 'The Abolition of the Poor Law Guardians', Fabian Tract, number 126, 1906, page 22, quoted in Stedman-Jones, page 333.

81. B Webb, Our Partnership, page 419.
82. See Harris, op cit, 1972, page 200 passim, and Harris, 1977, pages 151-155.
83. G Procacci, 'Social Economy and the Government of Poverty', Ideology and Consciousness, number 4, 1978.
84. Crowther, 1981, op cit, chapter 10, Beveridge, 1909, op cit, page 48.
85. The Public Organisation of the Labour Market, page 265.
86. The Public Organisation of the Labour Market, pages 280, 307, and Beveridge, 1909, pages 210-218.
87. The Public Organisation of the Labour Market, pages 301-303.
88. Harris, op cit, 1972, page 256, and Clarke, 1978, pages 120-127.
89. See 'The Regularisation of the National Demand for Labour', The Public Organisation of the Labour Market, pages 280-287.
90. The Public Organisation of the Labour Market, pages 309-319.
91. The Public Organisation of the Labour Market, page 266.
92. See Stedman-Jones, page 335, B B Gilbert, (1966), page 251, and Harris, 1977, page 120. The belief was prevalent that, "shackled to the wheels of the free market was a surplus class of 'unfit' or parasitical persons with primitive social habits and archaic industrial practices, who not only refused to obey the laws of evolution but inhibited the rest of society from obeying them as well..." Beveridge, "... saw labour colonies as peripheral institutions for the 'misfits' of the economic system, to which the 'unemployable' would be expelled." Harris, 1972, page 189. This 'unemployable residuum' would become "the acknowledge dependants of the state," and, "removed from free industry and maintained adequately in public institutions, but with complete and permanent loss of civil rights - including not only the

- franchise but civil freedom and fatherhood." Quoted in Harris, 1977, page 119. See Beveridge, 'The Problem of the Unemployed', Sociological Papers, volume III, 1906.
93. The Public Organisation of the Labour Market, page 293, see also Harris, 1977, pages 118-121.
 94. The Public Organisation of the Labour Market, page 295.
 95. The unemployable were the male 'residuum' although this is not to deny that many social thinkers and philanthropists believed that there was also a more fundamental problem of the female 'residuum'. See earlier chapter on the 'woman question' and the foundations of state intervention.
 96. Cormack, 1945. op cit. page 96. See also R Saleilles, The Individualisation of Punishment, London 1911.
 97. Harris, 1977, page 120-121.
 98. The poor and unemployable were considered 'doubly defective' by virtue of being both immoral and incapable. There is thus a strong theme linking moral and social pathology which was to echo through a good deal of social intervention during the 20th century.
 99. The Public Organisation of the Labour Market, page 299.
 100. The Public Organisation of the Labour Market, page 300.
 101. The Public Organisation of the Labour Market, page 304.
 102. Thus, the new apparatuses considered by the Webbs had in mind overcoming the voluntary character of the Poor Law. Of course, the Poor Law was voluntary only in the sense that the poor were to be allowed to starve quite freely, the new preventative apparatuses were not even to allow them this.
 103. See earlier chapter on the 'social state', for there it was argued that the coherence of the state's exercise of discipline can be seen to derive from the state's endeavours to facilitate the accumulation of capital.
 104. It is not without significance as some researchers have noted, that the eclipsing of the formal freedoms of civil society only came in return for the granting of other social rights derived from the mode of production and distribution of subsistence.
 105. See for example, P Alcock and P Harris, Welfare Law and Order, 1980, pages 17-18.
 106. The Public Organisation of the Labour Market, page 305.
 107. The Public Organisation of the Labour Market, page 305, see also pages 329, 344.

108. The Public Organisation of the Labour Market, page 308.
109. The Public Organisation of the Labour Market, page 306.
110. See for example, Foucault's thesis on the history of institutional failure in his study of the prison. Discipline and Punish, 1977.
111. The Public Organisation of the Labour Market, page 308.
112. *Ibid.*
113. The Public Organisation of the Labour Market, pages 329, 344.
114. Harris, 1972, page 256.
115. Beveridge, Power and Influence, 1953, pages 62-64.
116. Harris, 1972, pages 287-88, the Webbs, The Prevention of Destitution, pages 168-75.
117. G Kay and J Mott, Political Order and the Law of Labour, page 108. See also, N Rose, who endorses this view. "The formation and reformation of the social is a continuous operation, obeying no single principle and subject to no final conclusion ... If the Webbs' schema was not itself implemented, the strategy which it represented and the techniques it necessitated were by no means a cul-de-sac in the formation of our present. On the contrary, we can see here a model articulated of the alliance between the operation of law to establish a regime which relies upon administrative regulation of the population, and the necessity for the simultaneous operation of a technology and a knowledge in which the individual is constituted as object and objective." N Rose, 'The Psychological Complex: Mental Measurement and Social Administration', Ideology and Consciousness, 1979, page 37.
118. See Harris, 1972, pages 134-5, 189 and Harris, 1977, pages 114, 118-20. Even so the labour colonies did make an appearance under the Unemployment Assistance Board in 1934, see W Hannington, The Problem of the Distressed Areas, V Gollancz, 1937 and, Colledge and Field, 'To Recondition Human Material', 1983, *op cit*.
119. Beveridge, Unemployment: A Problem of Industry, 1930 edition, page 264.
120. Sir J Collie, Malingering and Feigned Sickness, London, 1913.
121. Sir Hubert Llewellyn-Smith, Presidential Address to the Economic Section of the British Association for the Advancement of Science, 1910, pages 678-9.
122. The Webbs' criticisms of compulsory national insurance were sharp and often contained a strong theme of moralism, but it would be a profound injustice to their position to fail to give the whole of their objections to

the scheme. "We regard it, accordingly, as established - and already strikingly borne out by the experience of the German Empire - that any government which embarks on a system of universal and compulsory social insurance (especially if this involves substantial contributions from other than the beneficiaries) unless it concurrently sets to work at least as elaborate social machinery for actually preventing the occurrence of the contingencies insured against, and for bringing them, in each case, as quickly as possible to an end, will do, on the one hand, no small amount of psychological damage to its beneficiaries, and will almost certainly discover, on the other, an ever increasing drain on its insurance fund, involving a progressive rise either of the premiums or of the subventions, and, in any case, of the total burden on the community . . . It was because of these implications of universal and compulsory insurance, as well as because insurance does not in itself prevent, and fails to provide for the poorest and weakest - who have surely the first claim on the community - that we refused to recommend it in the Minority Report." The Prevention of Destitution, pages 183-202. Although again, to be quite fair, in the Webbs' scheme, the 'help' provided for the poorest by the 'community' may well have involved some form of incarceration and, in some cases, penal detention.

123. Objecting to the principle, they wrote, "Compulsory insurance is almost a misnomer. The special features of thrift and foresight, the independence in self-government and the willingness to subordinate the present to the future, which are, as we have seen, characteristic of the insurance which is an optional and voluntary act of individual prudence, disappear altogether in a national and compulsory and universal system. Compulsory insurance . . . involves no exercise of the quality of foresight, demands no responsibility for administration, and implies no subordination of present impulses to future needs." (pages 168-9). Objecting to the cost, they rightly recognised the status of the scheme as a form of taxation (although without relating the insurance proposals to their own, "costly and cumbersome," scheme of disciplinary institutionalisation). The Webbs continued, "we are obliged to test the value of the revenue side of compulsory insurance, not by its incidental advantages in promoting thrift and independent self government, but, in the main, by the ordinary canons of taxation. Now, regarded as a method of raising revenue, compulsory insurance of all the wage earning population with its elaborate paraphernalia of

weekly deductions, its array of cards and stamps, its gigantic membership catalogue, its inevitable machinery of identification and protection against fraud – involving not only a vast and perpetual trouble to every employer, but also the appointment of an extraordinarily extensive Civil Service staff is, compared with all our other taxes, almost ludicrously costly and cumbersome to all concerned." page 170.

124. The Prevention of Destitution, pages 174-5.
125. W S Churchill. Liberallism and the Social Problem, page 309.
126. Harris, 1972. pages 365-66.
127. Churchill, quoted in Harris, 1977. page 171.
128. W S Churchill. Notes on Malingering, 6th June 1909, quoted in Gilbert, 1966. pages 271-72.
129. This, of course, was to make a number of important assumptions, that major changes could be brought in the organisation of the national labour market, that all unemployment was transitional and that only the malingerer stayed unemployed beyond a short period of time.
130. Beveridge. Unemployment: A Problem of Industry, 1930 edition, page 234.
131. In the Insurance scheme a graduated process of disentitlement was to act as a constant deterrent pressure to prolonged unemployment. A workman was expected to take any work he could find in order to build up his contribution record once again. Thus what appeared at first sight as a synthetic self-acting scheme of insurance collapsed into a form of deterrence.
132. Churchill. Notes on Malingering, op cit, 1909, quoted in Gilbert, 1966. page 272.
133. Churchill. House of Commons Official Report, Vol 26, column 502, quoted in Deacon, In Search of the Scrounger, 1976, page 11.
134. See P Hirst, 'Marx and Engels on Law and Class', in Taylor, Walton and Young, Critical Criminology, RKP, 1976.
135. Churchill, Notes on Malingering, op cit, 1909.
136. See for example, Kay and Mott, Political Order and the Law of Labour, 1982; N Rose, op cit, 1979, and I Hacking, The Emergence of Probability, 1979.
137. Thus, as we have seen the logic of Insurantial technique implied that precisely those most likely to require the more eligible benefits of insurance, were those the least likely to be entitled to them through lack of contributions.

138. Beveridge. Unemployment: A Problem of Industry. 1909. (1930 edition), page 216. See also, Beveridge's broad agreement with the Webbs. Harris. 1977. page 354.
139. Beveridge. Unemployment: A Problem of Industry. 1930. footnote 1. page 216. Harris. 1977. pages 149. 171.
140. Harris. 1972. page 214. Clarke. 1978. page 123.
141. Despite differences over the extent to which a right, once established could be compromised, all were agreed on a need for a low level of benefit. Hence, the right to a benefit ought not to be confused with the right to adequate relief. As Deacon has noted: "The figure of 7 shillings a week was well below that paid by the strictest Board of Guardians and no attempt was made to present the benefits as being sufficient for the maintenance of the unemployed. Rather, their function was to supplement the other resources, particularly savings and Trade Union benefits, which it was assumed the genuine worker would possess and thereby enable him to avoid recourse to the Poor Law. The low level of benefit was an additional deterrent to malingering." Deacon. 1976. page 11.
142. Harris. 1977. pages 149. 171-76.
143. Beveridge. Unemployment: A Problem of Industry. pages 4. 215-16. 352-3. 402-6 and The Public Organisation of the Labour Market. pages 280. 307.
144. See the National Insurance Act. 1911. Beveridge Unemployment: A Problem of Industry. page 267.
145. *ibid.*
146. *ibid.*
147. Fraser. 1973. pages 172-4.
148. See for instance. Golding and Middleton. 1982. page 42. Harris. 1977. pages 353-55.
149. The Minister's advice on the entitlement of the unemployed to benefit stated that. "In general all applicants must make efforts on their own behalf and the [Local Employment] Committee should require all applicants to satisfy them in this respect. It is considered that the Committee should, in general, call upon all applicants for documentary evidence of this. [for example. a confirmed list of all employers visited] but it must be recognised that the production of such evidence cannot be insisted upon in every case." Unemployment Insurance: Directions to Local Employment Committees Regarding the Grant of Uncovenanted Benefit. Cmd. 2104. quoted in Deacon. 1976. page 23.

150. Deacon, 1976, pages 21-22.
151. Beveridge, Unemployment: A Problem of Industry, 1930 edition, page 280.
152. The numbers disallowed benefit under the 1921 Test have been calculated by Deacon who shows that, for the period March 1921 to July 1924, the crude disallowance rate rose from 6.1% in 1921 to over 15% in 1922-23. Deacon, 1976, table 1, page 97. As Thane, 1982, page 174, points out, however, the numbers deterred from claiming by the operation of a Test of 'Genuineness' and a Means Test (on top of Deacon's figures) cannot be known.
153. Thane, 1982, page 174. This point was also emphasised by Deacon, who quoted an Insurance Umpire's decision which spoke of 'availability' entirely in the female sense.
154. As we shall see a good deal of the present social security system's regulation of cohabitation relationships was laid down during this period.
155. Deacon, 1976, page 24.
156. Beveridge, Unemployment: A Problem of Industry, page 280 (footnote), 1930. As indicated earlier Beveridge had originally intended that the Labour Exchange operate such 'tests' as were embodied in the scheme.
157. For a fuller explanation of these issues, see subsequent chapters. Part of the problem insofar as Beveridge's 1942 Report was concerned derived from the fact that his assumptions about female participation rates in the economy were based upon the 1931 census. This census was for reasons which are obvious, quite unrepresentative of female employment aspirations, not least because, during the years before 1931, a clear policy of successive governments had been the removal of women from the labour market in order to create more vacancies for men. See also, Deacon's statistical appendix II, pages 96-110, which details the relative differences in the disallowance rates between men and women. "The proportion of claims disallowed was consistently two and a half times as high amongst women as amongst men." page 99. Approximately one third of women applicants were disallowed between January 1926 and April 1928, although in terms of absolute numbers, between three and four times as many men applicants were disallowed benefit. page 100.
158. The purpose of these tests was to prevent benefit "being claimed in respect of earlier contributions by persons - as, for instance, married

women and war munitions workers - who have now intention or necessity of resuming employment, and who are in fact not now really available for industrial employment." House of Commons Official Report, volume 143, column 466, cited in Deacon, 1976. The same principle of attitude testing was conveyed in the Umpire's decision on the real meaning of availability.

159. Umpire's decision, 1404/26, 14th July 1926, quoted in Deacon, 1976.
160. *Ibid.*, pages 41-42.
161. Mr Clynes MP. House of Commons Official Report, volume 138, column 1199, 1921, quoted in Deacon, 1976.
162. *Ibid.*, page 91.
163. The work of A Deacon over recent years has done most to open up the significance of the Means Test in the history of British social policy. The most recent examination of the Test, Reserved for the Poor: The Means Test in British Social Policy, 1983, by A Deacon and J Bradshaw, helps bring this analysis up to date. However, if anything Deacon's work shares certain assumptions prevailing in most discussions of the Means Test by supposing that the major frame of reference for understanding the Test is one of distribution. That is to say virtually all commentators on the Means Test take it almost exclusively for an element in a distributional system, ignoring its important role in reinforcing a disciplinary form of class relations. It is not intended to develop this critique here, or to remedy these oversights, but merely to point out this alternative and, potentially, equally plausible account. These questions however will be relevant to the ensuing brief discussion of the Means Test.
164. Those initially subjected to the Test included persons imprisoned for any offence, including drunkenness, during the previous ten years, and persons who were neither aliens nor the wives of aliens and could satisfy the pension authorities that they had not been guilty of, "habitual failure to work according to [their] ability, opportunity or need, for [their] own maintenance and that of [their] legal relatives." See Thane, 1982, page 83 and Deacon and Bradshaw, 1983, page 7.
165. See Thane, 1982, page 174. As a result of this Test the numbers in receipt of benefit fell immediately although the Test was administered more severely in some areas than others.
166. Deacon, 1976, page 26, Thane, 1982, page 174.
167. Deacon, 1976, page 27.

168. See for example, D Collard, 'The Case for Universal Benefits'. In Bull, (ed), 1971 and, see also, Deacon, 1976, page 27.
169. Foucault, Discipline and Punish, 1977.
170. In this way we begin to get closer to the Marxist analysis of the Means Test and its role in organising the poverty and subsistence of the working class. See for example, R Hallam, 'The Production of Poverty', Economy and Society, volume 3, 1974.
171. See the later discussion of social security regulations and their impact upon the relationships, situations and obligations of claimants. Feminist writers for example, Hilary Land and F Bennett et al, have drawn attention to the way in which the subordination of women is organised through the provisions of the social security system. This 'patriarchal' statutory family was considered as the third system of family law in the Finer Report, 1974, see later discussion.
172. Kay and Mott, Political Order and the Law of Labour, op cit, 1982, page 108.
173. In subsequent chapters we shall consider this strategy of disempowerment at the heart of a disciplinary social security scheme. In the 1920's and 1930's and now, in the 1980's, political priorities appear to demand not the incorporation of labour, but its marginalisation and exclusion. This theme will be developed more fully later.
174. Fraser, 1973, op cit, page 174.
175. As much is apparent in Novak's analysis of the creation of the Unemployment Assistance Board in 1934. The Poor Law Commissioners in 1834 had not created a central system but had opted for a substantial degree of local control yet, by the 1920's and 1930's when Local Guardians were paying over and above the centrally declared rates of assistance, central authority stepped in and took over the functions of social security. "When the rate payers began to subvert [the restrictive Poor Law policy] with a more generous treatment of the unemployed they were dismissed and the administration of non-insurance relief passed to a new central state agency ... [where relief was] not a matter of 'right' but a matter of discretion based on need." Novak, Phd thesis, Poverty and the State, op cit.
176. Kay and Mott, 1982, op cit, page 67. Continuing to retain the Marxist dialectic, Kay and Mott write: "Just as machinery is the product of labour which then confronts its producer as an alien force, so administration is the appropriation of revolutionary will by the state, and its transformation into counter-revolutionary force." page 96.
177. Harris, 1977, pages 354-356.